

88D CONGRESS }
2d Session }

SENATE

{ EXECUTIVES
L AND M }

PROTOCOL ON THE TERMINATION OF THE
OCCUPATION REGIME IN THE FEDERAL
REPUBLIC OF GERMANY AND PROTOCOL
TO THE NORTH ATLANTIC TREATY ON THE
ACCESSION OF THE FEDERAL REPUBLIC
OF GERMANY

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE PROTOCOL ON THE TERMINATION OF THE OCCUPA-
TION REGIME IN THE FEDERAL REPUBLIC OF GERMANY
AND THE PROTOCOL TO THE NORTH ATLANTIC TREATY
ON THE ACCESSION OF THE FEDERAL REPUBLIC OF
GERMANY, SIGNED AT PARIS ON OCTOBER 23, 1954



NOVEMBER 15, 1954.—Referred to the Committee on Foreign Relations

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83D CONGRESS }
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REGIME IN THE FEDERAL REPUBLIC OF GERMANY
AND PROTOCOL TO THE NORTH ATLANTIC TREATY
ON THE ACCESSION OF THE FEDERAL REPUBLIC OF
GERMANY

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A CERTIFIED COPY OF THE PROTOCOL ON THE TERMINATION OF
THE OCCUPATION REGIME IN THE FEDERAL REPUBLIC OF
GERMANY, SIGNED AT PARIS ON OCTOBER 23, 1954, TO WHICH
ARE ANNEXED FIVE SCHEDULES, AND A CERTIFIED COPY OF
THE PROTOCOL TO THE NORTH ATLANTIC TREATY ON THE
ACCESSION OF THE FEDERAL REPUBLIC OF GERMANY, ALSO
SIGNED AT PARIS ON OCTOBER 23, 1954

NOVEMBER 15, 1954.—The injunction of secrecy was removed from the protocols
and together with the message of transmittal, the report by the Secretary of
State and all other accompanying papers, were referred to the Committee on
Foreign Relations and ordered to be printed for the use of the Senate

THE WHITE HOUSE,
November 15, 1954.

To the Senate of the United States:

I transmit herewith for the consideration of the Senate a certified
copy of the Protocol on the Termination of the Occupation Regime in
the Federal Republic of Germany, signed at Paris on October 23, 1954,
to which are annexed five schedules, and a certified copy of the Pro-
tocol to the North Atlantic Treaty on the Accession of the Federal
Republic of Germany, also signed at Paris on October 23, 1954. I
request the advice and consent of the Senate to the ratification of
these two documents.

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In addition, I transmit for the information of the Senate a number of related documents. These include a report made to me by the Secretary of State on the present agreements; the Final Act of the Nine Power Conference held at London, September 28-October 3, 1954, with annexes; 3 resolutions adopted by the North Atlantic Council on October 22, 1954; 4 protocols to the Brussels Treaty signed at Paris on October 23, 1954, together with the text of the Brussels Treaty signed on March 17, 1948; a declaration dated October 23, 1954, of the states signatory to the Brussels Treaty inviting Italy and the Federal Republic of Germany to accede to the treaty; a resolution on the production and standardization of armaments adopted by the Nine Power Conference at Paris on October 21, 1954; the Convention on the Presence of Foreign Forces in the Federal Republic of Germany, signed at Paris on October 23, 1954; the Tripartite Agreement on the Exercise of Retained Rights in Germany, signed at Paris on October 23, 1954; certain letters relating to the termination of the occupation regime in the Federal Republic of Germany, dated October 23, 1954, together with the texts of letters exchanged in 1952 referred to therein; and a statement on Berlin made by the Foreign Ministers of France, the United States, and the United Kingdom in Paris on October 23, 1954.

I know the Senate is aware of the very great importance of these agreements to the security of the United States and to the cause of peace and freedom in the world as a whole. The agreements represent the culmination of a joint effort, extending over several years, to promote closer cooperation in security matters among the nations of Western Europe and to find a way of associating the great potential strength of the Federal Republic of Germany with that of the free world in a manner which will ensure freedom and equality for the people of Germany and at the same time will avoid the danger of a revival of German militarism. The Congress of the United States has recognized on several occasions that the effectiveness of the entire Atlantic relationship depends to a very great extent upon the attainment of these objectives, and last summer the Senate adopted a resolution (S. Res. 295, July 30, 1954) expressing the sense of the Senate that steps should be taken to restore sovereignty to Germany and to enable her to contribute to the maintenance of international peace and security.

It was hoped that these objectives would be accomplished through the treaty constituting the European Defense Community, together with the Bonn conventions of May 26, 1952, which were designed to terminate the occupation regime in the Federal Republic. But the treaty constituting the European Defense Community failed of ratification, and the conventions, being dependent on the treaty, could not be brought into effect. Accordingly, it became necessary to devise a set of alternative arrangements by which the nations of the North Atlantic Community might pursue their common security objectives, and these new arrangements are embodied in the present agreements.

In accordance with these arrangements, the Federal Republic will be invited to accede to the North Atlantic Treaty and, along with Italy, to the Brussels Treaty. Furthermore, important changes will be made in the military arrangements under the North Atlantic Treaty Organization and in the basic nature of the Brussels Treaty

to which Belgium, France, Luxembourg, the Netherlands, and the United Kingdom are already parties. These changes will have the effect, not only of placing certain agreed controls on European armaments, but also of strengthening and reinforcing both the North Atlantic Treaty Organization and the new Brussels Treaty Organization, the Western European Union.

In NATO, the powers of the Supreme Allied Commander, Europe, will be strengthened in the fields of assignment and deployment of forces, inspection, and logistical organization. In addition, the principle of integration of units may be carried to lower echelons than is now the case. These measures are desirable in their own right because they increase the general effectiveness of NATO forces. At the same time, they create a degree of mutual interdependence among national forces assigned to NATO that will effectively limit the ability of any one nation to take independent military action within SACEUR's area of command.

The Brussels Treaty is modified so as to establish a new Council for Western European Union, and promotion of European integration becomes a new purpose of the treaty. The Council is given important powers in the fields of controlling forces and armaments. The continental forces of the Brussels Treaty countries are set at specified limits, conforming, for those countries which would have been members of the European Defense Community, to the limits set by the EDC Treaty. These limits cannot be changed except by the unanimous consent of the Council. In addition, the United Kingdom has agreed that it will continue to maintain on the mainland of Europe forces of the level presently committed there. Further safeguards are provided in the armaments field. The Federal Republic has renounced the right to manufacture atomic and certain other weapons. Major types of conventional weapons will be subject to control. An Agency for Control of Armaments is to be set up for the purpose of enforcing these arms limitations.

It has also been agreed that the occupation regime must be brought to an end and the Federal Republic will assume the full authority of a sovereign state in its external and internal affairs. This will be accomplished by the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, which amends the conventions which were placed before the Senate in 1952 and brings them into effect as amended. The amendments are designed principally to bring the Bonn conventions into harmony with the new arrangements for a German defense contribution and with German membership in the North Atlantic Treaty Organization. The greater part of the conventions has been left unchanged. They will provide, as before, for the revocation of the occupation statute, the abolition of the Allied High Commission, and the settlement of numerous problems arising out of the war and the occupation. The convention regulating the status of Allied forces in Germany will continue until it is replaced by new arrangements based on the NATO Status of Forces Agreement, supplemented by such provisions as are necessary in view of the special conditions with regard to forces stationed in the Federal Republic. New arrangements will also eventually have to be concluded on the support of foreign forces in the Federal Republic. Of the special rights retained by the United States, the United Kingdom, and France in the original conventions, those relating to Berlin and

to Germany as a whole will be kept on the same terms as before, and the right to station forces in Germany will, after German admission to NATO, be exercised with the consent of the Federal Government insofar as the Federal territory is concerned.

Of the four conventions which are to be amended by the protocol and placed in effect as amended, only one (the Convention on Relations between the Three Powers and the Federal Republic of Germany) was submitted to the Senate for its advice and consent to ratification. The other conventions were in the nature of implementing administrative agreements, for which the Senate recognized that formal approval was unnecessary and, furthermore, was undesirable, inasmuch as they might require technical revision from time to time to meet changing conditions. Approval of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany will not change the nature of those related conventions.

While the arrangements embodied in these agreements are complex, their purposes are simple. The Federal Republic is placed on a basis of full equality with other states. The military strength of the Federal Republic will be combined with that of the other countries in the Atlantic community in such a way that the development and use of the German military contribution will be in accordance with the common need. The Federal Republic will be fully associated with the Atlantic community through membership in the North Atlantic Treaty Organization, and with the European community through membership in the Western European Union established under the Brussels Treaty. Both of these organizations will be strengthened internally. The procedures and institutions which are the subject of these agreements make it inevitable that the states involved will act closely together in the matters most important to their security. This concert of action will, I am convinced, foster the spirit of cooperation and desire for continuing association which have been evident in the free nations and which are essential for their future safety and welfare.

One of the principal specific consequences of the new arrangements will be the addition of a substantial increment of German resources to the Atlantic defense system. At the same time, I want to emphasize the fact that these agreements are founded upon the profound yearning for peace which is shared by all the Atlantic peoples. The agreements endanger no nation. On the contrary, they represent one of history's first great practical experiments in the international control of armaments. Moreover, their fundamental significance goes far beyond the combining of strength to deter aggression. Ultimately, we hope that they will produce a new understanding among the free peoples of Europe and a new spirit of friendship which will inspire greater cooperation in many fields of human activity.

I urge the Senate to signify its approval of this great endeavor by giving its advice and consent to ratification of the protocols on the admission of the Federal Republic to the North Atlantic Treaty Organization and on the termination of the occupation regime. I hope these instruments may be studied with a view to enabling the Senate to act promptly on these matters when it meets for its new session in January.

DWIGHT D. EISENHOWER.

(Enclosures: (1) Report of the Secretary of State; (2) Protocol on the Termination of the Occupation Regime in the Federal Republic of

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Germany; (3) Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany; (4) Final Act of the Nine Power Conference, with Annexes; (5) three resolutions adopted by the North Atlantic Council on October 22, 1954; (6) four protocols to the Brussels Treaty; (7) Brussels Treaty; (8) Declaration Inviting Italy and the Federal Republic of Germany to Accede to the Brussels Treaty; (9) Resolution on the Production and Standardization of Armaments; (10) Convention on the Presence of Foreign Forces in the Federal Republic of Germany; (11) Tripartite Agreement on the Exercise of Retained Rights in Germany; (12) letters relating to the termination of the occupation regime in the Federal Republic of Germany, together with texts of letters exchanged in 1952 referred to therein; (13) statement on Berlin.)

DEPARTMENT OF STATE,
Washington, November 12, 1954.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT:

I

I have the honor to submit to you, with a view to transmission to the Senate for its advice and consent to the ratification thereof, (1) a Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed at Paris on October 23, 1954, to which are annexed five schedules; and (2) a Protocol to the North Atlantic Treaty providing for the Accession of the Federal Republic of Germany, signed at Paris on October 23, 1954.

II

The protocols above referred to are a part of a series of inter-connecting arrangements designed to solidify the security structure of Western Europe. Because of such interdependence, I also submit herewith the other arrangements, although they so not themselves require Senate action. I recommend that these documents, which are listed in the annexed schedule, be submitted to the Senate for its information.

III

The foregoing arrangements, when they become operative, will, in combination, establish basically new conditions in Western Europe. They will realize a result for which the United States has long hoped.

The two world wars of this century have made it evident that western civilization, with its dedication to human liberty, cannot survive if the members of the western world continue to make war on each other. Already they have so expended their blood and treasure in fighting that they have gravely depleted their strength, and they have brought upon themselves the moral condemnation of all humanity because of their failure to establish, even as between themselves, a peaceful order.

Realization of the foregoing brought the Western European nations to seek such a measure of unification, particularly in terms of military establishments, as would make it hereafter both militarily impractical

and politically unlikely that their military forces would be used against each other, or indeed against anyone else for other than clearly defensive purposes.

The need for this coincides with new dangers born out of the expansionist policies of Soviet Russia, inspired by the worldwide ambitions of Soviet communism and backed by a vast Red military establishment. This creates for Western Europe a threat which can only be effectively deterred by the achievement of a large degree of practical unity among the European nations themselves, including the Federal Republic of Germany, and we hope, a unified Germany.

It was originally sought to achieve these objectives by the establishment of a European Defense Community, consisting of six continental countries—Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, and the Netherlands. They would have created an international organization having supranational powers in defense matters. This would have constituted a hard and dependable core at the critical center of the North Atlantic Treaty Organization.

This plan had been proposed on October 24, 1950, by Mr. Plevin, the then French Minister of Defense. After about a year and a half of negotiation, it was embodied in two interconnected treaties—the Bonn Convention on Relations with the Federal Republic of Germany of May 26, 1952, designed to restore sovereignty to the Federal Republic, and the Paris Treaty of May 27, 1952, designed to establish the European Defense Community.

The Bonn convention was signed by the United States, and on July 1, 1952, the United States Senate advised and consented to its ratification. The Senate at the same time consented to an extension of the North Atlantic Treaty area to include that of the European Defense Community, the significant addition being Western Germany. However, the Bonn convention and the related Paris Treaty never became effective because they were not ratified by all the signatories.

This failure to realize the European Defense Community and to restore sovereignty to the Federal Republic of Germany created a highly dangerous situation. It seemed that Europe might be doomed to continue divisions which would be disastrous both because such divisions would perpetuate the cycle of recurrent war as between the Western European countries themselves, and because a divided Europe would automatically be dominated by Soviet despotic power.

IV

I desire at this point to refer to the action which the United States Senate took on July 30, 1954. It was then predictable that the French Chamber of Deputies might fail to ratify the Bonn and Paris Treaties, above referred to, and the consequences of that failure could measurably be foreseen. In anticipation of that situation there occurred consultations between the Executive and the Senate, as a result of which the Senate, by a vote of 88 to 0, adopted a resolution which asked you in your discretion and within the limits of your constitutional powers to seek—

to restore sovereignty to Germany and to enable her to contribute to the maintenance of international peace and security.

This act of cooperation between the Executive and the Senate, and the unanimous bipartisan action of the Senate itself, had a

steadying and sobering effect at a time when there was much confusion and division of counsel. The Senate action enabled me, as your representative, to speak with authority in the subsequent negotiations which I conducted on your behalf.

The forward-looking "advice" thus given by the Senate in pursuance of its constitutional prerogative has in fact been successfully transmuted into Executive action. The first protocol referred to in I above will "restore sovereignty to Germany" and the second protocol referred to in I above will "enable her to contribute to the maintenance of international peace and security."

V

The Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany is not linked to the entry into force of the arrangements for a German defense contribution, as was the case of the original Convention on Relations with the Federal Republic. It could come into force before it becomes possible to bring the arrangements for the German defense contribution into force. If there is an intervening period, France, the United Kingdom, and the United States will retain their existing powers in the field of disarmament and demilitarization in the Federal Republic. These powers will be exercised through a Joint Commission, consisting of representatives of the three powers and the Federal Republic, who will function by majority vote. These arrangements will be reviewed at the end of 1954 in light of the situation then existing with regard to the entry into force of the protocol and, at the same time, the four Governments will review the exercise of the controls with a view to permitting preparation by the Federal Republic for its future defense contribution.

In addition to the differences above mentioned, several changes of substance have been made in the Convention on Relations with the Federal Republic, as concluded in 1952. However, these changes neither increase the obligations of nor diminish the benefits to the United States as against those reflected in the Bonn convention which was approved by the Senate on July 1, 1952. The changes, which are significant primarily from the standpoint of the Federal Republic of Germany, may be summarized as follows:

(1) In article 2 of the convention as originally concluded, the three powers retained their rights relating to the stationing of armed forces in Germany and the protection of their security, to Berlin, and to Germany as a whole, including the unification of Germany and a peace settlement. These powers were to be held in reserve for special use, related to the Soviet position in Eastern Germany, and were not intended for exercise in ordinary German affairs, either domestic or foreign. It seemed preferable, therefore, that insofar as the territory of the Federal Republic was concerned, the arrangements for the stationing of foreign forces should be put on a contractual basis. Accordingly, the forces in the Federal Republic after the entry into force of the arrangements for the German defense contribution will be governed by a separate convention under the terms of which the Federal Republic agrees to the stationing of forces of the same nationality and effective strength as may be stationed in the Federal Republic at that time. Any increase in the effective strength of these

forces may be made only with the consent of the Government of the Federal Republic.

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The German representatives recognized that the three powers should preserve their rights to protect the security of forces stationed in the Federal Republic until the Federal Government itself were able to take the necessary measures. This depends on the Federal Government obtaining new legislative powers. The termination of the general right of the three powers in this field will not affect the right of a military commander, if his forces are imminently menaced, to take such immediate action (including the use of armed force) as may be appropriate for their protection and as is requisite to remove the danger.

(2) A second change in the Convention on Relations relates to the Arbitration Tribunal to be established for the settlement of disputes arising between any one of the three powers and the Federal Government. Under the Charter of the Arbitration Tribunal as originally concluded, the Tribunal was given power to take action directly on legislative and administrative measures or judicial decisions applicable within the Federal Republic. These powers, which are not normal to a body created to arbitrate disputes between sovereign states, have been eliminated from the charter.

(3) A third change in the Convention on Relations relates to the situation which will arise on the reunification of Germany. The Convention on Relations as concluded in 1952 provided for its review in the event of reunification (art. 10). The new protocol provides for review of the convention and the related conventions not only in the event of actual reunification of Germany, but also in case an international understanding is reached with the participation and consent of the four Governments parties to the conventions on steps toward bringing about the reunification of Germany. The Convention on the Presence of Foreign Forces in Germany will also be subject to review in these circumstances. There must, of course, be agreement by all the signatory governments to any changes made in the conventions.

(4) Changes have also been made in the related conventions. These changes for the most part involve bringing the conventions up to date by eliminating clauses referring to the EDC Treaty, by taking into account the lapse of time since the conventions were concluded, and by taking into account progress made toward the completion of certain Allied programs in Germany. They also alter certain clauses in the conventions which were not felt to be in harmony with the status of equality being accorded the Federal Republic. Finally, the arrangements for the financial support of foreign forces stationed in Germany have been brought into harmony with more recent agreements with the Federal Republic in this field.

The related conventions were executive agreements implementing the Convention on Relations. For these, Senate action was unnecessary and, furthermore, recognized by the Committee on Foreign Relations to be undesirable, inasmuch as it was foreseen that they might require technical revision from time to time to meet changing conditions. The report of the Committee on Foreign Relations of the Senate (Ex. Rept. No. 16, 82d Cong., 2d sess.), stated:

Some of the technical provisions in the [related] conventions are temporary in nature and as the situation in Germany changes, it may be necessary to make

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modifications in them from time to time. Under such circumstances it would seem impractical to require resubmission of the conventions to the Senate before each such modification could go into effect.

The ratification of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany will not change the nature of those related conventions.

VI

The arrangements for the termination of the occupation regime in the Federal Republic do not affect the status of Berlin. In a declaration made by the Governments of the United States, the United Kingdom and France at the London Nine Power Conference of September 28-October 3, 1954, they reaffirmed the declaration made by them in Paris on May 27, 1952, that they would maintain armed forces in Berlin as long as their responsibilities required and that they would treat any attack against Berlin from any quarter as an attack upon their forces and themselves. In addition, the three powers issued a statement in Paris on October 23, 1954, in which they affirmed their determination to insure the greatest possible degree of self-government in Berlin compatible with Berlin's special situation and stated that they had instructed their representatives in Berlin to consult with the German authorities in the city with a view to implementing these principles jointly and to the fullest degree possible.

VII

The Protocol to the North Atlantic Treaty Providing for the Accession of the Federal Republic of Germany, referred to in I above, has no precise counterpart in the documents which were submitted to the Senate in 1952, although, as mentioned, there was then a protocol, approved by the Senate, which extended the treaty area to include that of the EDC. It was, however, not then contemplated that the Federal Republic of Germany would itself become a party to the North Atlantic Treaty. The German defense contribution would have been made solely through the European Defense Community. Under the arrangements now contemplated, it is essential that the Federal Republic of Germany should become a party to the North Atlantic Treaty and participate in the North Atlantic Treaty Organization (NATO). A protocol to that effect was signed in Paris on October 23, 1954, by the representatives of the 14 nations now parties to that treaty, and is one of the two documents referred to in section I hereof which it is recommended should be submitted to the Senate for advice and consent to ratification. The protocol is framed so that its entry into force is tied to that of the other arrangements relating to German participation in the common defense.

VIII

One of the documents above referred to in section II hereof, is a resolution concerning the powers of the supreme allied commander, Europe (SACEUR) approved by the North Atlantic Council on October 22, 1954. The general effect of this resolution is to strengthen the role of SACEUR over the forces under his authority. One result

of these changes will be to enhance the effectiveness of the NATO forces in Europe, with consequent benefits to the entire NATO effort. Increasing the authority of SACEUR will also mean that the national forces assigned to SACEUR will become integrated and interdependent to an extent that will minimize the possibility of individual nations exercising an independent military initiative in Europe.

IX

Another of the resolutions of the North Atlantic Council suggested to be submitted to the Senate for its information is that of October 22, 1954, which took note of an exchange of declarations between the Federal Republic of Germany and the Governments of the United States, the United Kingdom, and France on October 3, 1954, in London and associated all members of the North Atlantic Treaty with the tripartite declaration issued by the three Governments last named.

In its declaration, the Government of the Federal Republic declares that it has agreed to conduct its policy in accordance with the principles of the Charter of the United Nations and accepts the obligations set forth in article 2 of the charter. The Federal Republic also declares that, upon its accession to the North Atlantic and Brussels Treaties, it will refrain from any action inconsistent with the strictly defensive character of the treaties. In particular the German Federal Republic undertakes never to have recourse to force to achieve the reunification of Germany or the modification of the present boundaries of the German Federal Republic.

In the tripartite declaration, the Governments of the United States, United Kingdom, and France respond appropriately to this declaration, reaffirming in relation to this situation the principles of article 2 of the Charter of the United Nations, condemning the use of force as between nations.

X

A major element in the new arrangements signed at Paris on October 23, 1954, are the four protocols designed to modify the Brussels Treaty. This treaty, signed on March 17, 1948, by France, Belgium, Luxembourg, the Netherlands, and the United Kingdom, was the first major step toward the military integration of postwar Europe, antedating the North Atlantic Treaty by more than a year. Under the terms of the Brussels Treaty all countries were pledged to give full and immediate military assistance to any party against which aggression might occur. The treaty also provided for consultative machinery, for the development of common defense plans. With the advent and growth of NATO, the organizational machinery under the Brussels Treaty became relatively inactive, but the treaty remained in full force and has now afforded a basis for realizing certain major political and security objectives.

The first of the protocols will bring about several important changes in the Brussels Treaty. First, it provides for the accession of Germany and Italy to the Brussels Treaty so that the membership will correspond to that of the proposed European Defense Community, plus the United Kingdom. Second, the Consultative Council of the Brussels Treaty will be transformed into a new "Council of Western European Union" for the purposes of strengthening peace and secu-

ity and promoting unity and encouraging the progressive integration of Western Europe and closer cooperation between them and with other European organizations. Special provision is made for votes by two-thirds majority or simple majority on specific questions. Provision is made for close cooperation between the Brussels Treaty Organization and the North Atlantic Treaty Organization. There is a clause stating the undesirability of duplicating the work of the military staffs of NATO and stipulating that the Council and its Agency for the Control of Armaments will rely on the military authorities of NATO for information and advice on military matters.

The second protocol is concerned with the size of the forces of Western European Union. It provides that the total strength and number of formations of the land and air forces of Belgium, France, the Federal Republic of Germany, Italy, and the Netherlands placed under SACEUR shall not exceed those laid down in the special agreement annexed to the European Defense Community Treaty. The forces of the United Kingdom under SACEUR shall not exceed those presently under SACEUR command, and Luxembourg's forces shall be set at one regimental combat team. Naval forces are to be set by the NATO annual review process. Any increase in the agreed maximum forces will be subject to the unanimous approval of all parties to the Brussels Treaty.

An important feature of this protocol is the commitment by the United Kingdom to maintain on the mainland of Europe the effective strength of the United Kingdom forces now assigned to SACEUR, i. e., four divisions and the Second Tactical Air Force or such other forces as SACEUR regards as having equivalent fighting capacity. The United Kingdom undertakes not to withdraw these forces against the wishes of a majority of the Brussels Treaty Powers. The protocol provides that this undertaking does not bind the United Kingdom in case of an acute overseas emergency. It further provides that if maintenance of forces on the Continent at any time places too great a strain on the external finances of the United Kingdom, the Government of the United Kingdom will invite the North Atlantic Council to review the financial conditions under which the United Kingdom forces are maintained.

This commitment is in addition to the commitment implicit in the United Kingdom's membership in the new Council of Western European Union.

The third protocol relates to the control of armaments. It is concerned both with armaments which are not to be manufactured in the Federal Republic and those which are to be controlled within the Brussels Treaty countries on the mainland. The prohibited arms, which the Federal Republic of Germany has renounced the right to produce, are atomic, biological, and chemical weapons and guided missiles, larger naval vessels, and strategic bombing aircraft. Unanimous vote of the Council of Western European Union is required to give Germany the right to produce atomic, biological, and chemical weapons. A two-thirds majority of the Council can give Germany the right to produce guided missiles, larger naval vessels, and strategic aircraft, provided that SACEUR recommends that Germany be given this right.

The armaments subject to control throughout the territory of the six Continental countries include both the weapons which are pro-

hibited and a number of other major weapons. These include mines, tanks, large artillery and ammunition therefor, aircraft bombs and most types of military aircraft.

A fourth protocol creates an Agency for the Control of Armaments. With respect to controlled items, the Agency is to exercise its control over stocks of armaments rather than over production. It will also ensure that prohibited items are not produced in Germany.

The United States will give the Council of Western European Union information with respect to military aid to be furnished to the forces of the Brussels Treaty countries on the mainland of Europe. This information will be transmitted to the Agency for Armaments Control by the Council. The United States retains full authority to determine the allocation of United States military assistance.

The Agency does not have responsibilities with respect to the production and procurement of armaments or with the allocation of military equipment. However, the Brussels Treaty countries did agree in a resolution approved at Paris October 21, 1954, that they would convene a Working Group in Paris January 17, 1955, to consider proposals for development of rationalized production programs.

XI

The arrangements which I have discussed impose no treaty engagements and obligations upon the United States other than those incident to restoring to the Federal Republic of Germany sovereign powers which the Allies had assumed after the defeat of the Nazi Government; and the acceptance of the Federal Republic as a member of the North Atlantic Treaty. Nevertheless, the prospective attitude of the United States toward the whole arrangement is a matter of profound, even decisive, significance.

In this connection, I made a statement at the London Conference at its meeting of September 29, 1954, the full text of which is reproduced in an annex to the final act of the London Conference, transmitted herewith. By that statement I sought to make clear the desire of our Nation to encourage and support measures which unify and strengthen Western Europe, whereas we would be disposed to draw away from a Europe which persisted in divisions and weakness. In this connection I said that if new arrangements were made by the Western European countries, which, in replacement of the European Defense Community, provided unity and strength, so that the hopes which we had placed in EDC could reasonably be transferred to these new arrangements, then I would recommend to you, Mr. President, that you should make a declaration of policy comparable to that which you offered, after consultation with congressional leaders, in connection with the prospective European Defense Community Treaty, including an expression of intention by the United States—

to maintain in Europe such elements of its armed forces as may be necessary or appropriate to contribute our fair share of what is needed for the common defense of this North Atlantic area while the threat to that area exists.

I was careful to point out that such a declaration would constitute no more than a policy declaration and that it would not be a legally binding commitment. I pointed out:

under our constitutional system, the President of the United States is Commander in Chief of the Armed Forces of the United States and, as such, has the right to

determine their disposition. One President of the United States is not constitutionally able to bind his successor in this matter. Each President of the United States comes into office enjoying the right to dispose of the Armed Forces of the United States as he thinks best serves the interests of the United States in accordance with the advice he gets from his military advisers.

I nevertheless pointed out that basic and fundamental policies were, as a practical matter, not likely to be altered and that our policy to cooperate with a Western Europe which was itself acting effectively to make itself united and strong was, I felt, basic and fundamental United States policy, as both the Executive and the Congress had clearly made manifest.

In pursuance of the statement which I made in London, I expect, Mr. President, to make a recommendation to you as thus indicated, if the arrangements which were entered into at Paris have been, or appear likely to be, realized. I understand that you would be disposed to act favorably on such a recommendation.

XII

It is evident that the foregoing agreements, if they come into force and are implemented, will have far reaching and benign consequences.

They will fulfill the aspirations of the people of the Federal Republic of Germany for a position of equality in the family of free nations.

They will increase substantially the defensive potential of the Atlantic alliance.

At the same time, they will afford protection against excessive militarism as a tool of aggressive nationalism. This protection will go not only to the members of the Atlantic alliance, but to all.

They will offer strong assurances against a renewal of fratricidal strife among the free nations of Europe and will afford a framework of practical cooperation which should encourage further advances toward political and economic unity among the Western European states.

Because of the importance to this Nation of achieving these results, I recommend, Mr. President, that you request early consideration by the Senate of this matter, and, in particular, the advice and consent of the Senate to the ratification of the two documents of treaty status which the United States has signed, namely, the protocol which will restore sovereignty to the Federal Republic of Germany and the protocol which will admit the Federal Republic of Germany to the North Atlantic Treaty.

Respectfully submitted.

JOHN FOSTER DULLES.

SCHEDULE

(1) The Final Act of the Nine Power Conference held at London, September 28-October 3, 1954, with annexes; (2) three resolutions adopted by the North Atlantic Council on October 22, 1954; (3) four protocols to the Brussels Treaty of March 17, 1948, signed at Paris on October 23, 1954, together with the text of treaty itself; (4) a declaration dated October 23, 1954, of the states signatory to the Brussels Treaty inviting Italy and the Federal Republic of Germany to accede to the treaty; (5) a resolution on the production and standardization of armaments adopted by the Nine Power Conference at

Paris on October 21, 1954; (6) the Convention on the Presence of Foreign Forces in the Federal Republic of Germany, signed at Paris on October 23, 1954; (7) the Tripartite Agreement on the Exercise of Retained Rights in Germany, signed at Paris on October 23, 1954; (8) certain letters relating to the termination of the occupation regime in the Federal Republic of Germany, dated October 23, 1954, together with the texts of letters exchanged in 1952 referred to therein; and (9) a statement on Berlin made by the Foreign Ministers of France, the United States, and the United Kingdom in Paris on October 23, 1954. An agreement on the Saar was also signed at Paris by the French Republic and the Federal Republic of Germany on October 23, 1954. When an authentic English translation of this agreement is obtained, it will be made available to the Senate for its information.

PROTOCOL ON THE TERMINATION OF THE OCCUPATION REGIME IN THE FEDERAL REPUBLIC OF GERMANY

The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

ARTICLE 1

The Convention on Relations between the Three Powers and the Federal Republic of Germany, the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany, the Finance Convention, the Convention on the Settlement of Matters arising out of the War and the Occupation, signed at Bonn on 26 May 1952, the Protocol signed at Bonn on 27 June 1952 to correct certain textual errors in the aforementioned Conventions, and the Agreement on the Tax Treatment of the Forces and their Members signed at Bonn on 26 May 1952, as amended by the Protocol signed at Bonn on 26 July 1952, shall be amended in accordance with the five Schedules to the present Protocol and as so amended shall enter into force (together with subsidiary documents agreed by the Signatory States relating to any of the aforementioned instruments) simultaneously with it.

ARTICLE 2

Pending the entry into force of the arrangements for the German Defence Contribution, the following provisions shall apply:

(1) The rights heretofore held or exercised by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic relating to the fields of disarmament and demilitarisation shall be retained and exercised by them, and nothing in any of the instruments mentioned in Article 1 of the present Protocol shall authorize the enactment, amendment, repeal or deprivation of effect of legislation or, subject to the provisions of paragraph (2) of this Article, executive action in those fields by any other authority.

(2) On the entry into force of the present Protocol, the Military Security Board shall be abolished (without prejudice to the validity of any action or decisions taken by it) and the controls in the fields of disarmament and demilitarisation shall thereafter be applied by a Joint Four-Power Commission to which each of the Signatory States shall appoint one representative and which shall take its decisions by majority vote of the four members.

(3) The Governments of the Signatory States will conclude an administrative agreement which shall provide, in conformity with the provisions of this Article, for the establishment of the Joint Four-Power Commission and its staff and for the organisation of the work.

ARTICLE 3

1. The present Protocol shall be ratified or approved by the Signatory States in accordance with their respective constitutional procedures. The Instruments of Ratification or Approval shall be deposited by the Signatory States with the Government of the Federal Republic of Germany.

2. The present Protocol and subsidiary documents relating to it agreed between the Signatory States shall enter into force upon the deposit by all the Signatory States of the Instruments of Ratification or Approval as provided in paragraph 1 of this Article.

3. The present Protocol shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each Signatory State with certified copies thereof and notify each State of the date of entry into force of the present Protocol.

IN FAITH WHEREOF the undersigned Representatives duly authorized thereto have signed the present Protocol.

Done at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

/s/ JOHN FOSTER DULLES

For the United Kingdom of Great Britain and Northern Ireland:

/s/ ANTHONY EDEN

For the French Republic:

/s/ P. MENDÈS-FRANCE

For the Federal Republic of Germany:

/s/ ADENAUER

SCHEDULE I

AMENDMENTS TO THE CONVENTION ON RELATIONS BETWEEN THE
THREE POWERS AND THE FEDERAL REPUBLIC OF GERMANY

Introductory words

Substitute:

"The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany have entered into the following Convention setting forth the basis for their new relationship:"

Preamble

Delete.

Article 1

Substitute:

"ARTICLE 1

1. On the entry into force of the present Convention the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic (hereinafter and

PROTOCOLS ON THE FEDERAL REPUBLIC OF GERMANY 17

in the related Conventions sometimes referred to as "the Three Powers") will terminate the Occupation regime in the Federal Republic, revoke the Occupation Statute and abolish the Allied High Commission and the Offices of the Land Commissioners in the Federal Republic.

2. The Federal Republic shall have accordingly the full authority of a sovereign State over its internal and external affairs."

Article 2

Substitute:

"ARTICLE 2

In view of the international situation, which has so far prevented the reunification of Germany and the conclusion of a peace settlement, the Three Powers retain the rights and the responsibilities, heretofore exercised or held by them, relating to Berlin and to Germany as a whole, including the reunification of Germany and a peace settlement. The rights and responsibilities retained by the Three Powers relating to the stationing of armed forces in Germany and the protection of their security are dealt with in Articles 4 and 5 of the present Convention."

Article 4

Substitute:

"ARTICLE 4

1. Pending the entry into force of the arrangements for the German Defence Contribution, the Three Powers retain the rights, heretofore exercised or held by them, relating to the stationing of armed forces in the Federal Republic. The mission of these forces will be the defense of the free world, of which Berlin and the Federal Republic form part. Subject to the provisions of paragraph 2 of Article 5 of the present Convention, the rights and obligations of these forces shall be governed by the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany (hereinafter referred to as "the Forces Convention") referred to in paragraph 1 of Article 8 of the present Convention.

2. The rights of the Three Powers, heretofore exercised or held by them, which relate to the stationing of armed forces in Germany and which are retained, are not affected by the provisions of this Article insofar as they are required for the exercise of the rights referred to in the first sentence of Article 2 of the present Convention. The Federal Republic agrees that, from the entry into force of the arrangements for the German Defence Contribution, forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic. In view of the status of the Federal Republic as defined in Article 1, paragraph 2 of the present Convention and in view of the fact that the Three Powers do not desire to exercise their rights regarding the stationing of armed forces in the Federal Republic, insofar as it is concerned, except in full accord with the Federal Republic, a separate Convention deals with this matter."

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Article 5

Substitute:

"ARTICLE 5

1. Pending the entry into force of the arrangements for the German Defence Contribution, the following provisions shall be applicable to the forces stationed in the Federal Republic:

(a) The Three Powers will consult with the Federal Republic, insofar as the military situation permits, with regard to all questions concerning the stationing of these forces. The Federal Republic will, according to the present Convention and the related Conventions, co-operate, within the framework of its Basic Law, to facilitate the mission of these forces;

(b) The Three Powers will obtain the consent of the Federal Republic before bringing into the Federal territory, as part of their forces, contingents of the armed forces of any nation not now providing such contingents. Such contingents may nevertheless be brought into the Federal territory without the consent of the Federal Republic in the event of external attack or imminent threat of such attack, but, after the elimination of the danger, may only remain with its consent.

2. The rights of the Three Powers, heretofore held or exercised by them, which relate to the protection of the security of armed forces stationed in the Federal Republic and which are temporarily retained, shall lapse when the appropriate German authorities have obtained similar powers under German legislation enabling them to take effective action to protect the security of those forces, including the ability to deal with a serious disturbance of public security and order. To the extent that such rights continue to be exercisable they shall be exercised only after consultation, insofar as the military situation does not preclude such consultation, with the Federal Government and with its agreement that the circumstances require such exercise. In all other respects the protection of the security of those forces shall be governed by the Forces Convention or by the provisions of the Agreement which replaces it, and, except as otherwise provided, in any applicable agreement, by German law."

Article 6, paragraph 2, second sentence

Delete.

Article 7, paragraph 1

For the words "The Three Powers and the Federal Republic" substitute the words "The Signatory States".

Article 7, paragraph 2

Substitute:

"2. Pending the peace settlement, the Signatory States will co-operate to achieve, by peaceful means, their common aim of a reunified Germany enjoying a liberal-democratic constitution, like that of the Federal Republic, and integrated within the European Community."

Article 7, paragraph 3

Delete.

Article 7, paragraph 4

Delete the word "other".

Article 8

Substitute:

"1 (a) The Signatory States have concluded the following related Conventions:

Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany;

Finance Convention;

Convention on the Settlement of Matters Arising out of the War and the Occupation.

(b) The Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany and the Agreement on the Tax Treatment of the Forces and their Members signed at Bonn on 26 May 1952, as amended by the Protocol signed at Bonn on 26 July 1952 shall remain in force until the entry into force of new arrangements setting forth the rights and obligations of the forces of the Three Powers and other States having forces in the territory of the Federal Republic. The new arrangements will be based on the Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, signed at London on 19 June 1951, supplemented by such provisions as are necessary in view of the special conditions existing in regard to the forces stationed in the Federal Republic.

(c) The Finance Convention shall remain in force until the entry into force of the new arrangements negotiated in pursuance of paragraph 4 of Article 4 of that Convention with other member Governments of the North Atlantic Treaty Organization who have forces stationed in the Federal territory.

2. During the transitional period provided for in paragraph 4 of Article 6 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation, the rights of the three Signatory States referred to in that paragraph shall be retained."

Article 9, paragraph 1

Substitute:

"1. There shall be established an Arbitration Tribunal which shall function in accordance with the provisions of the annexed Charter."

Article 9, paragraph 2

Substitute:

"2. The Arbitration Tribunal shall have exclusive jurisdiction over all disputes arising between the Three Powers and the Federal Republic under the provisions of the present Convention or the annexed Charter or any of the related Conventions which the parties are not able to settle by negotiation or by other means

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agreed between all the Signatory States, except as otherwise provided by paragraph 3 of this Article or in the annexed Charter or in the related Conventions."

Article 9, paragraph 3

For the words "or action taken thereunder, or involving the provisions of paragraphs 1 to 7 of Article 5" substitute the words "the first two sentences of paragraph 1 of Article 4, the first sentence of paragraph 2 of Article 4 and the first two sentences of paragraph 2 of Article 5, or action taken thereunder,".

Article 10

Substitute:

"ARTICLE 10

The Signatory States will review the terms of the present Convention and the related Conventions

(a) upon request of any one of them, in the event of the reunification of Germany, or an international understanding being reached with the participation or consent of the States parties to the present Convention on steps towards bringing about the reunification of Germany, or the creation of a European Federation; or

(b) in any situation which all of the Signatory States recognize has resulted from a change of a fundamental character in the conditions prevailing at the time of the entry into force of the present Convention.

In either case they will, by mutual agreement, modify the present Convention and the related Conventions to the extent made necessary or advisable by the fundamental change in the situation."

Article 11, paragraphs 1 and 2

Delete.

Annex A

Delete.

AMENDMENTS TO ANNEX B, CHARTER OF THE ARBITRATION TRIBUNAL

Article 1, paragraph 2 (c)

Substitute:

"(c) A President and two Vice-Presidents (hereinafter referred to also as "the neutral members") appointed by agreement between the Governments of the Three Powers and the Federal Government, none of whom shall be a national of any one of the Three Powers or a German national."

Article 1, paragraph 3, second sentence

Substitute:

"Within the same period the Governments of the Three Powers and the Federal Government shall agree upon the three neutral members, one of whom shall be nominated as President and the other two as Vice-Presidents."

Article 1, paragraph 3, third sentence

Substitute:

"If, after the expiry of such period, one or more of the neutral members shall not have been agreed upon, either the Governments of the Three Powers or the Federal Government may request the President of the International Court of Justice to nominate such neutral member or members."

Article 3

Delete.

Article 6

Add new paragraphs: .

"3. The Registrar, upon receipt of the first petition filed pursuant to Article 14 of the present Charter, shall immediately notify the President, who shall thereupon call the first meeting of the Tribunal in plenary session at the seat of the Tribunal as soon as practicable, for the purpose of determining the Rules of Procedure and attending to other business. Thereafter the Tribunal shall meet as business requires.

4. Paragraphs 3 and 4 of Article 2 of the present Charter shall not become effective until the first meeting in plenary session referred to in paragraph 3 of this Article."

Article 9, paragraph 1

After the word "negotiation" insert the words "or by other means agreed between all the Signatory States".

Article 9, paragraph 2 (a)

Substitute for the words "Chapter Two" the words "Chapter One".

Article 9, paragraph 3

Delete the words "and to the provisions of sub-paragraph (a) of paragraph 5 of Article 11 of the present Charter".

Article 11

Substitute:

"ARTICLE 11

1. The Signatory States undertake to comply with the decisions of the Tribunal and to take the action required of them by such decisions or necessary to remedy the situation.

2. If a Signatory State required by a decision of the Tribunal to take action to give effect to that decision is unable, or fails, to take such action within the time specified by the Tribunal, or if no time is specified, within a reasonable time, then that State, or any other Signatory State a party to the dispute, may apply to the Tribunal for a further decision as to alternative action to be taken by the defaulting State."

SCHEDULE II

AMENDMENTS TO THE CONVENTION ON THE RIGHTS AND OBLIGATIONS
OF FOREIGN FORCES AND THEIR MEMBERS IN THE FEDERAL
REPUBLIC OF GERMANY

Contents

Delete references to Articles 49 and 50 and Annex C.

Introductory words

Substitute:

"The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:"

Article 1, paragraph 3

Substitute:

"3. Other Sending State:

Any power, other than one of the Three Powers, which, by agreement with the Three Powers or any one of them, has Forces stationed in the Federal territory on the entry into force of the present Convention; and any other Power which may in future have Forces stationed in the Federal territory,

(a) if before the entry into force of the arrangements for the German Defence Contribution, by agreement with the Three Powers, or any one of them, so far as such other Power does not, with the consent of the Three Powers, conclude a separate Convention with the Federal Republic concerning the status of its Forces, and

(b) if after the entry into force of the arrangements for the German Defence Contribution, by agreement with the Federal Republic."

Article 17, paragraph 8

Substitute:

"8. A Standing Commission shall be established, to be composed of representatives of the appropriate authorities of the Three Powers and of representatives of the authorities of the Federal Republic. The duty of this Commission shall be to guarantee effective co-ordination between civil and military air activities."

Article 33, paragraph 1 (c)

Delete.

Article 33, paragraph 3 (a)

Substitute:

"The tax treatment of the Forces and their members shall be governed, to the extent that provision is not made in the present Convention, by the Agreement on the Tax Treatment of the Forces and their Members signed at Bonn on 26 May 1952, as amended by the Protocol signed at Bonn on 26 July 1952."

Article 33, paragraph 3 (b)

Delete.

Article 36, paragraph 5 (d)

Delete the word "Special".

Article 38, paragraph 1

Delete the words "this shall also apply to armed forces of the European Defence Community if the latter agrees to participate in this procedure."

Article 38, paragraph 7

Substitute:

"7. In implementing the first accommodation programme, if no comparable alternative accommodation is available in the same area, the Forces shall, for six months after the entry into force of the present Convention, be entitled to the first option on such publicly owned accommodation included in the property referred to in Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation as becomes available. This shall not apply to accommodation in the Bonn Enclave."

Article 39, paragraph 2

Substitute:

"2. A Joint Supply Board shall be established, to be composed of representatives of the appropriate authorities of the Three Powers and of representatives of the Federal Republic. The Board shall be responsible for establishing by agreement periodical programmes for the procurement of the requirements of the Forces, and for resolving any difficulties which may arise in the course of the implementation of these programmes."

Article 42, paragraph 1

Substitute:

"1. The public services of the posts and telecommunications system of the Federal Republic shall be available to the Forces and their members. In this respect the Forces shall enjoy such preferential treatment as is necessary for the satisfactory fulfilment of their defence mission and is consistent with the reasonable reconciliation of the requirements resulting therefrom and the essential civilian and defence requirements of the Federal Republic. The conditions of service effective on the entry into force of the present Convention shall remain in force. These conditions of service shall be subject to review and modification at the request of any one of the Signatory States, where they are inconsistent with the present Convention. In the event of such a review the conditions of service to be determined shall be consistent with the needs of the Forces and the conditions of service of their members in the performance of the defence mission of the Forces."

Article 44, paragraph 2

Substitute:

"2. Germans who are working in the service of the Forces shall be subject to all obligations arising from the arrangements for the

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German Defence Contribution. They shall only be engaged on services of a non-combatant character including civilian guard duties."

Article 44, paragraph 10, first sentence

Substitute:

"The Mixed Commissions referred to in paragraphs 3 and 8 of this Article shall be composed equally of representatives of the appropriate authorities of the Three Powers and of representatives of the Federal Republic."

Article 47, paragraph 2

Delete.

Article 49

Delete.

Article 50

Delete.

Annex B, paragraph 3

Substitute:

"3. A Frequency Committee is hereby established, to be composed of representatives of the appropriate authorities of the Three Powers and of representatives of the Federal Republic. The Frequency Committee shall make its decisions by unanimous vote."

Annex C

Delete.

SCHEDULE III

AMENDMENTS TO THE FINANCE CONVENTION

Introductory words

Substitute:

"The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:"

Article 1, paragraph 1

Insert "The Forces;" between "The Power concerned;" and "Authorities of the Forces;"

Article 1, paragraph 2 (b)

Delete the sub-paragraph.

Article 1, paragraph 2 (c)

Substitute:

"(c) Funds for the support of the Forces:
Funds of the Federal Republic which are made available in accordance with paragraphs 1 to 3 of Article 4 of the present Convention to the Powers concerned to assist in meeting the costs of the Forces stationed in the Federal territory and their members."

Article 3

Delete.

Article 4

Substitute:

"ARTICLE 4

1. (a) From the entry into force of the present Convention until the entry into force of the arrangements for the German Defence Contribution, the Federal Republic will provide a monthly average contribution of DM600 million as funds for the support of the Forces.

(b) Out of the sum of DM600 million referred to in sub-paragraph (a) of this paragraph a sum of DM100 million a month will be earmarked for particular defence measures agreed jointly between the Three Powers and the Federal Republic, which latter sum will include expenditure for the NATO Infrastructure Programme. Payment of claims for Occupation damages can be included.

(c) The provisions of sub-paragraphs (a) and (b) of this paragraph apply in any case only until 30 June 1955. If the arrangements for the German Defence Contribution enter into force after that date, negotiations shall take place between the Federal Republic and the Three Powers concerning the contribution of the Federal Republic to the support of the Forces for the period after 30 June 1955 and before the entry into force of the arrangements for the German Defence Contribution.

2. During the first twelve months after the entry into force of the arrangements for the German Defence Contribution, the Federal Republic will make available as funds for the support of the Forces a total amount of DM3,200 million. These funds shall be made available as follows:—

DM400 million a month for the first two months;

DM300 million a month for the next four months;

DM200 million a month for the last six months.

If the arrangements for the German Defence Contribution enter into force after 30 June 1955, these provisions shall not apply, and negotiations shall take place between the Federal Republic and the Three Powers concerning the contribution of the Federal Republic to the support of the Forces for a period not exceeding twelve months after the entry into force of the arrangements for the German Defence Contribution.

3. The Three Powers recognise the right of the Federal Republic to propose that the provisions of paragraph 2 of this Article be re-examined should it consider that the burden imposed by the build-up of the agreed German forces justifies such re-examination. In this event, the Signatory States will examine all the relevant factors and if found necessary will agree to amend the above provisions on funds for the support of the Forces.

4. In accordance with the spirit of Article 3 of the North Atlantic Treaty the Federal Republic agrees that at the end of the period laid down in paragraph 2 of this Article it will be prepared to negotiate with other member Governments of the North

Atlantic Treaty Organization who have forces stationed in the Federal territory in respect of questions relating to the support (for example, goods and services) of those forces having regard to the requirements of the forces of the Federal Republic.

5. Funds to be made available in accordance with paragraphs 1 to 3 of this Article for one period of time may be utilized in other periods in accordance with the provisions of paragraph 6 of this Article. The Three Powers will be responsible for allocating or re-allocating among the Powers concerned, after consultation with the Federal Government, the amount made available in accordance with this Article. The provisions of Article 5 of the present Convention shall apply to the expenditure of these funds except to the extent that such funds are expended in accordance with sub-paragraph (a) of paragraph 6 of this Article.

6. The only expenditures chargeable to the funds for the support of the Forces made available in accordance with paragraphs 1 to 3 of this Article shall be:-

(a) Amounts expended on payment authorizations issued after the entry into force of the present Convention to satisfy liabilities for accommodation, goods, materials or services procured or ordered before the entry into force of the present Convention by the authorities of the Powers concerned as a charge to occupation costs or mandatory expenditures, to the extent that such amounts are not covered by unexpended occupation costs and mandatory expenditure funds remaining available to the Three Powers for the purpose after the entry into force of the present Convention;

(b) Amounts expended on payment authorizations issued before the end of the period covered by paragraph 2 of this Article under the Deutsche Mark budgets of the Powers concerned established in accordance with Article 5 of the present Convention. To the extent that the funds provided under paragraph 1 of this Article have not been fully expended to meet payment authorizations issued before the end of the period covered by that paragraph they will remain available to the Forces for a period of eighteen months for the liquidation of liabilities then outstanding which are chargeable to the funds for the support of the Forces. A corresponding procedure will apply to the funds made available in accordance with paragraph 2 of this Article; however, the latter funds will remain available to the Forces after the end of the relevant period for twelve months; and

(c) Amounts expended for such other purposes as may be agreed between the Federal Republic and the Three Powers.

7. The Three Powers undertake to make a consistent effort to ensure that the carry over will not increase and shall be substantially reduced as rapidly as possible. The authorities of the Three Powers and the Federal Republic will co-operate fully for this purpose and will assist each other by exchanging relevant information and in any other appropriate ways. The carry over within the meaning of this paragraph is that part of the funds made available by the Federal Republic for occupation costs and mandatory expenditures which has not been disbursed, together

with that part of the funds made available in accordance with paragraph 1 of this Article which has similarly not been disbursed."

Article 5, paragraph 3

Delete the sentence "Expenditures under such budget . . . control over them."

Article 6, paragraph 1

Substitute:

"1. Subject to the provisions of Article 4 of the present Convention, the Federal Republic shall take all steps necessary to make available, as required, the funds for the support of the Forces."

Article 7, paragraph 1 (g) (iii)

Substitute for the words "the defence contribution of the Federal Republic" the words "funds for the support of the Forces".

Article 8, paragraph 14

Substitute:

"14. Compensation awarded under a decision of an agency of the Forces shall, for the periods specified in paragraphs 1 and 2 of Article 4 of the present Convention, be chargeable to the funds for the support of the Forces of the Power concerned unless otherwise agreed between the Federal Republic and the Power concerned. An agreement between the Federal Republic and the United Kingdom of Great Britain and Northern Ireland in that regard and in relation to ancillary procedure is annexed to the present Convention as Annex A. A similar agreement between the Federal Republic and the United States of America is annexed to the present Convention as Annex B."

Article 8, paragraph 15

Substitute:

"15. Notwithstanding the other provisions of this Article, claims in respect of damage caused to accommodation or moveables which have been made available for use by the Authorities of the Power concerned before the entry into force of the present Convention, and released by them after the end of the period covered by paragraph 2 of Article 4 of the present Convention shall be determined by the German authorities and shall not be charged to the funds for the support of the Forces, or to the Power concerned."

Article 8, paragraph 18

Delete.

Article 12, paragraph 6

Delete the sentence "Timely . . . 30 June 1953."

Article 13, paragraph 2

Substitute for the words "30 June 1953" the words "the end of the period covered by paragraph 2 of Article 4 of the present Convention".

Article 13, paragraph 3

Substitute:

"3. During the period covered by paragraph 1 of Article 4 of the present Convention, the costs of the installations and works referred to in Article 20 of the Forces Convention shall be chargeable to the funds for the support of the Forces. During the period covered by paragraph 2 of Article 4 of the present Convention, the costs of the above mentioned installations and works shall be chargeable to the funds for the support of the Forces to the extent that provision is made therefor in the budgets of the Powers concerned. If installations and works should be carried out for which no provision has been made in such budgets, their financing shall be determined by prior agreement between the Federal Republic and the Powers concerned."

Article 13, paragraph 4

Substitute for the words "30 June 1953" the words: "the end of the period covered by paragraph 2 of Article 4 of the present Convention."

Article 13, paragraph 4

Delete the words "mentioned in paragraph 3 of Article 4 of the present Convention."

Article 13, paragraph 5

Delete.

Article 14

Delete the sentence "Representatives . . . involved."

Article 16

Delete the phrase "especially if agreements . . . desirable."

Article 18, paragraph 1

Delete.

Article 18, paragraph 2

Delete the words "which are not members of the European Defence Community,".

Article 19, sub-paragraph (a)

Substitute:

"(a) in matters which under paragraphs 1 to 4 of Article 4 of the present Convention are to be settled by negotiation."

Annex 'A', Section 9

Delete.

Annex 'B'

Add new Annex 'B.'

ANNEX B TO THE FINANCE CONVENTION

In the case of the Forces of the United States of America the provisions of Article 8 of the Finance Convention shall be implemented in accordance with the following provisions:

SECTION 1

The functions of the appropriate agency of the Forces set out in paragraph 9 of Article 8 of the Finance Convention shall in respect to these Forces be delegated to the Federal Republic.

SECTION 2

1. The appropriate German agency shall promptly inform the appropriate agency of the Forces of any claim lodged with it and shall append such particulars as the latter agency may require.

2. After receipt of these particulars, the appropriate agency of the Forces shall forward as soon as possible to the appropriate German agency such relevant information and evidence obtainable from its own sources as is necessary for dealing with the claim insofar as the making available of such evidence is permissible under the regulations of the United States. The German agency shall assess and pay any compensation upon the claim only in the full light of this evidence.

SECTION 3

1. The appropriate agency of the Forces shall include in the information and evidence forwarded to the appropriate German agency under paragraph 2 of Section 2 of this Annex a statement as to whether or not acts or omissions of the Forces as defined in paragraph 2 of Article 8 of the Finance Convention are involved.

2. The German agency shall not assess or pay any compensation unless the appropriate agency of the Forces has issued a statement that acts or omissions of the Forces as defined in paragraph 2 of Article 8 of the Finance Convention are involved.

3. If during investigations of a claim circumstances appear which would lead to an inference different from that contained in the statement, the appropriate agency of the Forces shall, on the request of the appropriate German agency, review its statement taking into account the representations made by the German agency.

SECTION 4

If a claimant brings an action in the ordinary German court against the Federal Republic pursuant to paragraph 10 of Article 8 of the Finance Convention, the German agency shall forward to the appropriate agency of the Forces a copy of the complaint. Should the German agency deem it necessary in the light of the complaint to obtain from the agency of the Forces supplementary documents or evidence from its own sources for use in connection with the defence of the action, the German agency shall so inform the agency of the Forces as soon as possible.

SECTION 5

Should the legally enforceable judgment of a Court in an action brought under paragraph 10 of Article 8 of the Finance Convention differ from the decision of the German agency taken under Section 1 of this Annex, the decision shall be modified so as to make it accord with the judgment; this shall apply whether or not the authorities

of the Forces exercised their right to participate in the action against the Federal Republic under paragraph 12 of Article 8 of the Finance Convention.

SECTION 6

To enable that part of the compensation awarded by the German agencies or Courts which under Section 7 of this Annex is to be charged to the funds for the support of the Forces of the United States to be so charged, the German agency shall by the fifteenth day of each month furnish to the appropriate agency of the Forces a list showing the amounts of compensation paid during the previous month.

SECTION 7

It is agreed, as provided for in paragraph 14 of Article 8 of the Finance Convention, that 75 per cent of the compensation awarded by the appropriate German agencies or by the ordinary German courts shall be charged to the funds for the support of the Forces made available under the Finance Convention. The remaining 25 per cent of the compensation shall be borne by the Federal Republic.

SECTION 8

The provisions of this Annex shall not affect the provisions of paragraph 16 of Article 8 of the Finance Convention.

SCHEDULE IV

AMENDMENTS TO THE CONVENTION ON THE SETTLEMENT OF MATTERS
ARISING OUT OF THE WAR AND THE OCCUPATION

Introductory words

Substitute:

"The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:"

CHAPTER ONE—GENERAL PROVISIONS

Article 8, sub-paragraph (d)

For the words "paragraph 6 of Article 4, of Chapter Two of the present Convention", substitute the words "paragraph 1 of Article 12 of this Chapter."

Article 8, sub-paragraph (e)

Delete.

Add new Articles:

"ARTICLE 9

1. The Allied High Commission legislation concerning the reorganization of the German coal mining and iron and steel industries, to the extent that such legislation is in force on the date of the entry into force of the present convention, shall be maintained in force in so far and so long as deconcentration measures ordered

before that date are still to be carried out or claimants are still to be protected.

2. The Federal Government shall ensure that the measures decreed under the legislation referred to in paragraph 1 of this Article by regulations or orders of the Allied High Commission or of its subordinate bodies as well as the measures required to be taken in implementation of the plans approved by such orders shall be carried through to completion.

3. The provisions of this Article shall be without prejudice to such expansion or affiliation of enterprises of the German coal mining and iron and steel industries as shall be permitted under the Treaty on the Establishment of the European Community for Coal and Steel.

ARTICLE 10

1. A mixed committee of experts composed of seven members shall be established according to the following procedure. Three of its members shall be appointed by the Federal Republic and one by each of the Three Powers immediately after the Federal Government has received the first application under paragraph 3 of this Article and has notified the Three Powers of that fact. The members so appointed shall elect a seventh member by majority vote within six months after this notification. If within that time the seventh member shall not have been elected or shall not have accepted election, the Board of Directors of the Bank of International Settlements shall be requested to appoint as a seventh member an expert who shall not be a national of any of the Signatory States.

2. The function of the Mixed Committee shall be to consider applications for extensions of the final time for the disposition of securities required by regulations or orders of the Allied High Commission or its subordinate bodies or by reason of the terms of a plan approved by any such order.

3. Applications must be filed with the Federal Government not later than one year before the expiration of the time fixed for the disposition of the securities. The applicant shall, until the decision of the Mixed Committee is rendered, be entitled to file any additional supporting papers.

4. The Mixed Committee shall extend the time fixed for the disposition of the securities, provided that the applicant establishes that all of such securities could not, with the exercise of reasonable efforts, be disposed of on reasonable terms and on a basis which is compatible with the German public interest and that such disposition will not be possible within the remaining time without a disruptive effect on the German capital market.

5. Any extension under paragraph 4 of this Article shall be granted for not more than one year but shall be subject to renewal upon a further application on the basis of the standards set forth in that paragraph. The Mixed Committee may attach appropriate conditions to any such extension or renewal.

6. The decision of a majority of the members shall constitute the decision of the Mixed Committee. The Committee shall render its decision before the expiration of the time fixed for the disposition of the securities.

7. The emoluments of the members of the Mixed Committee shall be paid by each of the Signatory States in respect of the member or members appointed by it. One-half of the emoluments of the seventh member shall be paid by the Federal Republic, and one-sixth by each of the Three Powers. The Mixed Committee may charge the remaining costs, in whole or in part, to the applicants.

8. The Mixed Committee shall adopt its own rules for the conduct of its business.

ARTICLE 11

1. The Allied High Commission legislation concerning the termination of the deconcentration and liquidation of the I. G. Farbenindustrie A. G. i. L. to the extent that such legislation is in force on the entry into force of the present Convention shall be maintained in force until the liquidation of the I. G. Farbenindustrie A. G. i. L. in accordance with such legislation has been completely carried out. Those provisions of the legislation referred to in the first sentence of this paragraph which concern rights or obligations (Rechtsverhältnisse) continuing to exist after the completion of the liquidation of I. G. Farbenindustrie A. G. i. L. shall be maintained in force until such rights and obligations have been completely settled.

2. The Federal Government shall ensure that the measures decreed under the legislation referred to in paragraph 1 of this Article by regulations or order of the Allied High Commission or of its subordinate bodies shall be carried through to completion.

ARTICLE 12

1. After the entry into force of the present Convention the Board of Review provided for under Article 13 (as amended) of Allied High Commission Law No. 27 shall consist of one member appointed by each of the Three Powers and three members appointed by the Federal Republic. As so constituted this Board of Review shall continue to be the sole appropriate body to review, on the petition of interested persons, any orders issued under sub-paragraph (c) of Article 5 of Law No. 27, or under paragraph 1 of Article 5 of Allied High Commission Law No. 35. The independence of the members of the Board of Review and their freedom of decision shall not be impaired by instructions or other actions of their Governments. Before rendering a decision the Board of Review shall grant the claimant a hearing.

2. The emoluments of the members of the Board of Review shall be paid by each of the Signatory States in respect of the member or members appointed by it. One-half of the remaining expenses of the Board of Review shall be borne by the Federal Republic, and one-sixth by each of the Three Powers.

ARTICLE 13

In order to facilitate the smooth transition from the Occupation regime to normal diplomatic relationships, and to provide for the accommodation of the Embassies and Consulates of the United States of America, the United Kingdom of Great Britain

and Northern Ireland and the French Republic, the Governments of the United States, the United Kingdom and the French Republic are hereby granted the right, subject to the payment of compensation in appropriate cases, to the continued use for a transitional period of the property used by them on the entry into force of the present Convention, provided such property is required for use by the Embassies and Consulates to be set up by them."

CHAPTER TWO—DECARTELIZATION AND DECONCENTRATION

Delete whole Chapter.

CHAPTER THREE—INTERNAL RESTITUTION

Article 1, sub-paragraph (a) (i)

For the words "Military Government Law No. 59, as amended or supplemented by Ordinances No. . . . 240 and 243" substitute the words "Military Government Law No. 59, as amended or supplemented by Ordinances No. . . . 240, 243, 252 and 255".

Article 1, sub-paragraph (a) (ii)

For the words "Laws No. . . . 21 (as amended) and 30" substitute the words "Laws No. . . . 21 (as amended), 30 and 42".

Article 1, sub-paragraph (b) (i)

Replace the word "and" between "High Commissioner" and "paragraph 3" by a comma; add after "No. 202" the words "and Ordinance No. 254 of the United Kingdom High Commissioner".

Article 3, paragraph 3

Delete.

Article 3, paragraph 5 (a) (b) (c)

Delete.

Article 6, paragraph 1 (a)

For the words "Board of Review" substitute the words "Supreme Restitution Court".

Annex, Article 5, paragraph 5 (c) (i)

Delete.

Annex, Article 9, paragraph 1 (b)

For the words "Board of Review established by Regulation No. 6 under British Military Government Law No. 59" substitute the words "Supreme Restitution Court for the British Zone established by Ordinance No. 255 of the United Kingdom High Commissioner".

Annex, Article 9, paragraph 2

For the words "Board of Review" substitute the words "Supreme Restitution Court for the British Zone".

CHAPTER FOUR—COMPENSATION FOR VICTIMS OF
NAZI PERSECUTION

Paragraph 4

Delete.

CHAPTER FIVE—EXTERNAL RESTITUTION

Article 2, paragraph 2

Substitute for the words "8 May 1955" the words "8 May 1956".
Substitute for the words "8 May 1956" the words "8 May 1957".

Article 3, paragraph 1

Substitute for the words "8 May 1955" the words "8 May 1956".

Article 3, paragraph 2

Substitute for the words "8 May 1955" the words "8 May 1956".

CHAPTER SIX—REPARATION

Article 2, first sentence

Insert after the words "Law No. 63" the words "as amended by Decision No. 24 of the Allied High Commission".

CHAPTER SEVEN—DISPLACED PERSONS AND REFUGEES

Article 1, sub-paragraphs (a) (b) (c)

Delete.

Article 3

Delete.

Article 5

Delete.

CHAPTER EIGHT—CLAIMS AGAINST GERMANY

Delete whole Chapter with Annex.

CHAPTER NINE—CLAIMS AGAINST FOREIGN NATIONS OR NATIONALS

Article 3, paragraph 3

Insert after the words "Law No. 47" the words "as amended by Allied High Commission Law No. 79".

CHAPTER TEN—FOREIGN INTERESTS IN GERMANY

Article 2, second sentence

Substitute:

"This legislation shall be reviewed by the Federal Republic in agreement with the other Signatory States on the basis of the provisions of the Agreement on German External Debts, concluded in London on 27 February 1953, in so far as this legislation involves claims dealt with in that Agreement."

Article 6, paragraph 2

Substitute for the words "the proposed Final Equalisation of Burdens (Lastenausgleich) Law" the words "the Law on Equalisation of Burdens of 14 August 1952 (Bundesgesetzblatt Teil I Seite 446)".

Article 6, paragraph 2 (last phrase before subparagraph (a))

Delete the word "proposed".

Article 6, paragraph 2 (c) (last phrase)

Delete the word "proposed".

Article 6, paragraph 7

Delete the word "Final" (English text only).

Article 7, sub-paragraph (a) (i)

Delete.

Article 7, sub-paragraph (a) (ii)

Delete the words "No. 55 (second Amendment of Legislation concerning Monetary Reform)".

Article 7, sub-paragraphs (a) (iii), (b) and (c) (i) and (ii)

Delete.

Article 9, paragraph 1

Delete the words "and also in connection . . . Law No. 55".

Article 12, paragraph 1

Insert after sub-paragraph (f): "Appeals under the last sentence of Article 2 and paragraph 3 of Article 7 of Allied High Commission Law No. 8, pending on the entry into force of the present Convention before the Patent Appeal Board established by Regulation No. 1 under Law No. 8 (amended), are hereby transferred to the Arbitral Commission and shall be dealt with by it in the same manner as appeals under this Article."

CHAPTER ELEVEN—FACILITIES FOR THE EMBASSIES AND CONSULATES
OF THE THREE POWERS IN THE FEDERAL REPUBLIC

Delete whole Chapter.

CHAPTER TWELVE—CIVIL AVIATION

Article 1

Substitute for the words "Articles 2 to 7" the words "Articles 2 to 6".

Article 7

Delete.

SCHEDULE V

AMENDMENTS TO THE AGREEMENT ON THE TAX TREATMENT OF THE
FORCES AND THEIR MEMBERS

Introductory words

Substitute:

"The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:"

Article 5

After the word "negotiations" insert the words "or by other means agreed between all the Signatory States."

Article 6, paragraph 1, 2, 3

Delete.

[Translation]

The textual conformity of the preceding photocopy with the original, deposited in the Archives of the Government of the Federal Republic of Germany, of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed in Paris on October 23, 1954, is hereby certified.

Bonn, November 2, 1954

[SEAL]

/s/ BERGER

Ministerial Director

Chief of the Legal Division of the Foreign Office

PROTOCOL TO THE NORTH ATLANTIC TREATY ON THE ACCESSION OF THE FEDERAL REPUBLIC OF GERMANY

The Parties to the North Atlantic Treaty signed at Washington on 4th April, 1949,

Being satisfied that the security of the North Atlantic area will be enhanced by the accession of the Federal Republic of Germany to that Treaty, and

Having noted that the Federal Republic of Germany has by a declaration dated 3rd October, 1954, accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken upon its accession to the North Atlantic Treaty to refrain from any action inconsistent with the strictly defensive character of that Treaty, and

Having further noted that all member governments have associated themselves with the declaration also made on 3rd October, 1954, by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic in connection with the aforesaid declaration of the Federal Republic of Germany,

Agree as follows:

ARTICLE I

Upon the entry into force of the present Protocol, the Government of the United States of America shall on behalf of all the Parties communicate to the Government of the Federal Republic of Germany and invitation to accede to the North Atlantic Treaty. Thereafter the Federal Republic of Germany shall become a Party to that Treaty on the date when it deposits its instruments of accession with the Government of the United States of America in accordance with Article 10 of that Treaty.

ARTICLE II

The present Protocol shall enter into force, when (a) each of the Parties to the North Atlantic Treaty has notified to the Government of the United States of America its acceptance thereof, (b) all instruments of ratification of the Protocol Modifying and Completing the Brussels Treaty have been deposited with the Belgian Government, and (c) all instruments of ratification or approval of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Government of the Federal Republic of Germany. The Government of the United States of America shall inform the other Parties to the North Atlantic Treaty of the date of the receipt of each notification of acceptance of the present Protocol and of the date of the entry into force of the present Protocol.

ARTICLE III

The present Protocol, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other Parties to the North Atlantic Treaty.

IN WITNESS WHEREOF, the undersigned Representatives, duly authorised thereto by their respective Governments, have signed the present Protocol.

Signed at Paris the twenty-third day of October nineteen hundred and fifty-four.

For Belgium:

P. H. SPAAK

For Canada:

L B PEARSON

For Denmark:

H. C. HANSEN.

For France:

P MENDÈS-FRANCE

For Greece:

S STEPHANOPOULOS

For Iceland:

KRISTINN GUDMUNDSSON

For Italy:

G. MARTINO

For the Grand-Duchy of Luxemburg:

Jos BECH

For Netherlands:

J W BEYEN

For Norway:

HALVARD LANGE

For Portugal:

PAULO CUNHA

For Turkey:

F. KÖPRÜLÜ

For the United Kingdom of Great Britain and Northern-Ireland:

ANTHONY EDEN

For the United States of America:

JOHN FOSTER DULLES

I CERTIFY THAT the foregoing is a true copy of the Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany signed at Paris on October 23, 1954 in the English and

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French languages, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, JOHN FOSTER DULLES, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this second day of November 1954.

[SEAL]

JOHN FOSTER DULLES

Secretary of State

By BARBARA HARTMAN

Authentication Officer

Department of State

**FINAL ACT OF THE NINE-POWER CONFERENCE HELD AT
LONDON, SEPTEMBER 28-OCTOBER 3, 1954**

The Conference of the Nine Powers, Belgium, Canada, France, German Federal Republic, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland and United States met in London from Tuesday September Twenty-eighth to Sunday October Third. It dealt with the most important issues facing the Western world, security and European integration within the framework of a developing Atlantic community dedicated to peace and freedom. In this connexion the Conference considered how to assure the full association of the German Federal Republic with the West and the German defence contribution.

Belgium was represented by His Excellency Monsieur P-H Spaak.

Canada was represented by the Honourable L. B. Pearson.

France was represented by His Excellency Monsieur P. Mendès-France.

The Federal Republic of Germany was represented by His Excellency Dr. K. Adenauer.

Italy was represented by His Excellency Professor G. Martino.

Luxembourg was represented by His Excellency Monsieur J. Bech.

The Netherlands was represented by His Excellency J. W. Beyen.

The United Kingdom of Great Britain and Northern Ireland was represented by Rt. Hon. A. Eden, M. C., M. P.

The United States of America was represented by the Honourable J. F. Dulles.

All the decisions of the Conference formed part of one general settlement which is, directly or indirectly, of concern to all the Nine powers and which will therefore be submitted to the North Atlantic Council for information or decision.

I. GERMANY

The Governments of France, the United Kingdom and the United States declare that their policy is to end the Occupation régime in the Federal Republic as soon as possible, to revoke the Occupation Statute and to abolish the Allied High Commission. The Three Governments will continue to discharge certain responsibilities in Germany arising out of the international situation.

It is intended to conclude, and to bring into force as soon as the necessary parliamentary procedures have been completed, the appropriate instruments for these purposes. General agreement has already been reached on the content of these instruments and representatives of the Four Governments will meet in the very near future to complete the final tests. The agreed arrangements may be put into effect either before or simultaneously with the arrangements for the German defence contribution.

As these arrangements will take a little time to complete, the Three Governments have in the meantime issued the following Declaration of Intent:

Recognising that a great country can no longer be deprived of the rights properly belonging to a free and democratic people; and

Desiring to associate the Federal Republic of Germany on a footing of equality with their efforts for peace and security.

The Governments of France, the United Kingdom, the United States of America desire to end the Occupation régime as soon as possible.

The fulfilment of this policy calls for the settlement of problems of detail in order to liquidate the past and to prepare for the future, and requires the completion of appropriate Parliamentary procedures.

In the meantime, the Three Governments are instructing their High Commissioners to act forthwith in accordance with the spirit of the above policy. In particular, the High Commissioners will not use the powers which are to be relinquished unless in agreement with the Federal Government, except in the fields of disarmament and demilitarisation and in cases where the Federal Government has not been able for legal reasons to take the action or assume the obligations contemplated in the agreed arrangement.

II. BRUSSELS TREATY

The Brussels Treaty will be strengthened and extended to make it a more effective focus of European integration.

For this purpose the following arrangements have been agreed upon:

(a) The German Federal Republic and Italy will be invited to accede to the Treaty, suitably modified to emphasise the objective of European unity, and they have declared themselves ready to do so. The system of mutual automatic assistance in case of attack will thus be extended to the German Federal Republic and Italy.

(b) The structure of the Brussels Treaty will be re-inforced. In particular the Consultative Council provided in the Treaty will become a Council with powers of decision.

(c) The activities of the Brussels Treaty Organisation will be extended to include further important tasks as follows:

The size and general characteristics of the German defence contribution will conform to the contribution fixed for EDC.

The maximum defence contribution to NATO of all members of the Brussels Treaty Organisation will be determined by a special agreement fixing levels which can only be increased by unanimous consent.

The strength and armaments of the internal defence forces and the police on the Continent of the countries members of the Brussels Treaty Organisation will be fixed by agreements within that Organisation having regard to their proper function and to existing levels and needs.

The Brussels Treaty Powers agree to set up, as part of the Brussels Treaty Organisation, an Agency for the control of armaments on the Continent of Europe of the continental members of the Brussels Treaty Organisation. The detailed provisions are as follows.

1. The functions of the Agency shall be
 - (a) to ensure that the prohibition of the manufacture of certain types of armaments as agreed between the Brussels Powers is being observed;
 - (b) to control the level of stocks held by each country on the Continent of the types of armaments mentioned in the following paragraph. This control shall extend to production and imports to the extent required to make the control of stocks effective.
2. The types of armaments to be controlled under 1 (b) above shall be
 - (a) weapons in categories I, II and III listed in Annex II to Article 107 of the EDC Treaty;
 - (b) weapons in the other categories listed in Annex II to Article 107 of the EDC Treaty.
 - (c) A list of major weapons taken from Annex I to the same Article to be established hereafter by an expert working group.Measures will be taken to exclude from control materials and products in the above lists for civil use.
3. As regards the weapons referred under paragraph 2 (a) above when the countries which have not given up the right to produce them have passed the experimental stage and start effective production, the level of stocks that they will be allowed to hold on the Continent shall be decided by the Brussels Treaty Council by a majority vote.
4. The continental members of the Brussels Treaty Organisation agree not to build up stocks nor to produce the armaments mentioned in paragraph 2 (b) and (c) beyond the limits required (a) for the equipment of their forces, taking into account any imports including external aid, and (b) for export.
5. The requirements for their NATO forces shall be established on the basis of the results of the Annual Review and the recommendations of the NATO military authorities.
6. For forces remaining under national control, the level of stocks must correspond to the size and mission of those forces. That level shall be notified to the Agency.
7. All importations or exportations of the controlled arms will be notified to the Agency.
8. The Agency will operate through the examination and collation of statistical and budgetary data. It will undertake test checks and will make such visits and inspections as may be required to fulfil its functions as defined in paragraph 1 above.
9. The basic rules of procedure for the Agency shall be laid down in a Protocol to the Brussels Treaty.
10. If the Agency finds that the prohibitions are not being observed, or that the appropriate level of stocks is being exceeded, it will so inform the Brussels Council.
11. The Agency will report and be responsible to the Brussels Council, which will take its decisions by a majority vote on questions submitted by the Agency.
12. The Brussels Council will make an Annual Report on its activities concerning the control of armaments to the Delegates of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe.

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13. The Governments of the U. S. A. and Canada will notify the Brussels Treaty Organisation of the military aid to be distributed to the continental members of that Organisation. The Organisation may make written observations.

14. The Brussels Council will establish a Working Group in order to study the draft directive presented by the French Government and any other papers which may be submitted on the subject of armaments production and standardisation.

15. The Brussels Treaty Powers have taken note of the following Declaration of the Chancellor of the Federal Republic of Germany and record their agreement with it:

THE FEDERAL CHANCELLOR DECLARES:

that the Federal Republic undertakes not to manufacture in its territory any atomic weapons, chemical weapons or biological weapons, as detailed in paragraphs I, II and III of the attached lists;

that it undertakes further not to manufacture in its territory such weapons as those detailed in paragraphs IV, V and VI of the attached list. Any amendment to or cancellation of the substance of paragraphs IV, V and VI can, on the request of the Federal Republic, be carried out by a resolution of the Brussels Council of Ministers by a two-thirds majority, if, in accordance with the needs of the armed forces, a request is made by the competent supreme commander of NATO;

that the Federal Republic agrees to supervision by the competent authority of the Brussels Treaty Organisation to ensure that these undertakings are observed.

LIST APPENDED TO THE DECLARATION BY THE FEDERAL CHANCELLOR

This list comprises the weapons defined in paragraphs I to VI and the factories earmarked solely for their production. All apparatus, parts, equipment, installations, substances and organisms which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

I. *Atomic weapons*

Text as in Annex II paragraph I to Article 107 of the EDC Treaty with the deletion of (c).

II. *Chemical weapons*

III. *Biological weapons*

IV. *Long distance missiles,
guided missiles,
magnetic and influence mines*

} Texts as in Annex II, paragraphs II, III, IV to Article 107 of the EDC Treaty.

V. *Warships, with the exception of smaller ships for defence purposes*

"Warships, with the exception of smaller ships for defence purposes are:

(a) Warships of more than 3,000 tons displacement.

(b) Submarines of more than 350 tons displacement.

(c) All warships which are driven by means other than steam, Diesel or petrol engines or by gas turbines or by jet engines".

VI. *Bomber aircraft for strategic purposes*

The closest possible co-operation with NATO shall be established in all fields.

III. UNITED STATES, UNITED KINGDOM, AND CANADIAN ASSURANCES

The United States Secretary of State set forth the willingness of the United States to continue its support for European unity, in accordance with the following statement.

If, using the Brussels Treaty as a nucleus, it is possible to find in this new pattern a continuing hope of unity among the countries of Europe that are represented here, and if the hopes that were tied into the European Defense Community Treaty can reasonably be transferred into the arrangements which will be the outgrowth of this meeting, then I would certainly be disposed to recommend to the President that he should renew the assurance offered last spring in connection with the European Defense Community Treaty to the effect that the United States will continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary and appropriate to contribute its fair share of the forces needed for the joint defense of the North Atlantic area while a threat to the area exists and will continue to deploy such forces in accordance with agreed North Atlantic strategy for the defense of this area.

The United Kingdom confirmed its active participation in the Brussels Treaty Organisation and gave the following assurance about the maintenance of United Kingdom forces on the continent of Europe.

The United Kingdom will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces now assigned to SACEUR, four divisions and the Tactical Air Force, of whatever SACEUR regards as equivalent fighting capacity. The United Kingdom undertakes not to withdraw those forces against the wishes of the majority of the Brussels Treaty Powers, who should take their decision in the knowledge of SACEUR's views.

This undertaking would be subject to the understanding that an acute overseas emergency might oblige Her Majesty's Government to omit this procedure.

If the maintenance of United Kingdom forces on the mainland of Europe throws at any time too heavy a strain on the external finances of the United Kingdom, the United Kingdom will invite the North Atlantic Council to review the financial conditions on which the formations are maintained.

Canada reaffirmed in the following statement its resolve to discharge the continuing obligations arising out of its membership in NATO and its support of the objective of European unity.

As far as we are concerned, the North Atlantic Treaty Organisation remains the focal point of our participation in collective defence and of our hope for the development of closer cooperation with the other peoples of the Atlantic community. As such, it remains a foundation of Canadian foreign policy. While we emphasise, then, our belief in the North Atlantic Treaty Organisation we welcome the proposed extension of the Brussels Treaty. We shall look forward to a growing

relationship, within the framework of NATO, with the new Brussels Treaty Organisation, composed of countries with whom we are already bound by such close ties.

IV. NATO

The powers present at the Conference which are members of NATO agreed to recommend at the next ministerial meeting of the North Atlantic Council that the Federal Republic of Germany should forthwith be invited to become a member.

They further agreed to recommend to NATO that its machinery be reinforced in the following respects:

(a) All forces of NATO countries stationed on the Continent of Europe shall be placed under the authority of SACEUR, with the exception of those which NATO has recognised or will recognise as suitable to remain under national command.

(b) Forces placed under SACEUR on the Continent shall be deployed in accordance with NATO strategy.

(c) The location of such forces shall be determined by SACEUR after consultation and agreement with the national authorities concerned.

(d) Such forces shall not be redeployed on the Continent nor used operationally on the Continent without his consent, subject to appropriate political guidance from the North Atlantic Council.

(e) Forces placed under SACEUR on the Continent shall be integrated as far as possible consistent with military efficiency.

(f) Arrangements shall be made for the closer coordination of logistics by SACEUR.

(g) The level and effectiveness of forces placed under SACEUR on the Continent and the armaments and equipment, logistics, and reserve formations of those forces on the Continent shall be inspected by SACEUR.

The Conference recorded the view of all the governments represented that the North Atlantic Treaty should be regarded as of indefinite duration.

V. DECLARATION BY THE GERMAN FEDERAL GOVERNMENT AND JOINT DECLARATION BY THE GOVERNMENTS OF FRANCE, UNITED KINGDOM, AND UNITED STATES OF AMERICA

The following declarations were recorded at the Conference by the German Federal Chancellor and by the Foreign Ministers of France, United Kingdom and United States of America.

DECLARATION BY GERMAN FEDERAL REPUBLIC

The German Federal Republic has agreed to conduct its policy in accordance with the principles of the Charter of the United Nations and accepts the obligations set forth in Article 2 of the Charter.

Upon her accession to the North Atlantic Treaty and the Brussels Treaty, the German Federal Republic declares that she will refrain from any action inconsistent with the strictly defensive character of the two treaties. In particular the German Federal Republic undertakes never to have recourse to force to achieve the reunification of Germany or the modification of the present boundaries of the German Federal Republic, and to resolve by peaceful means any disputes which may arise between the Federal Republic and other States.

DECLARATION BY THE GOVERNMENTS OF UNITED STATES OF AMERICA,
UNITED KINGDOM AND FRANCE

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic,

Being resolved to devote their efforts to the strengthening of peace in accordance with the Charter of the United Nations and in particular with the obligations set forth in Article 2 of the Charter.

(i) to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered;

(ii) to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(iii) to give the United Nations every assistance in any action it takes in accordance with the Charter, and to refrain from giving assistance to any State against which the United Nations take preventive or enforcement action;

(iv) to ensure that States which are not Members of the United Nations act in accordance with the principles of the Charter so far as may be necessary for the maintenance of international peace and security.

Having regard to the purely defensive character of the Atlantic Alliance which is manifest in the North Atlantic Treaty, wherein they reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and undertake to settle their international disputes by peaceful means in accordance with the principles of the Charter and to refrain, in accordance with those principles, from the threat or use of force in their international relations,

Take note that the German Federal Republic has by a Declaration dated October 3rd accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken never to have recourse to force to achieve the reunification of Germany or the modification of the present boundaries of the German Federal Republic, and to resolve by peaceful means any disputes which may arise between the Federal Republic and other states:

DECLARE THAT

1. They consider the Government of the Federal Republic as the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs.

2. In their relations with the Federal Republic they will follow the principles set out in Article 2 of the United Nations Charter.

3. A peace settlement for the whole of Germany, freely negotiated between Germany and her former enemies, which should lay the foundation of a lasting peace, remains an essential aim of their policy. The final determination of the boundaries of Germany must await such a settlement.

4. The achievement through peaceful means of a fully free and unified Germany remains a fundamental goal of their policy.

5. The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three

Powers as essential elements of the peace of the free world in the present international situation. Accordingly they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

6. They will regard as a threat to their own peace and safety any recourse to force which in violation of the principles of the United Nations Charter threatens the integrity and unity of the Atlantic alliance or its defensive purposes. In the event of any such action, the three Governments, for their part, will consider the offending government as having forfeited its rights to any guarantee and any military assistance provided for in the North Atlantic Treaty and its protocols. They will act in accordance with Article 4 of the North Atlantic Treaty with a view to taking other measures which may be appropriate.

7. They will invite the association of other member States of the North Atlantic Treaty Organisation with this Declaration.

VI. FUTURE PROCEDURE

The Conference agreed that representatives of the governments concerned should work out urgently the texts of detailed agreements to give effect to the principles laid down above. These will be submitted, where appropriate, to the North Atlantic Council, and to the four Governments directly concerned with the future status of the Federal Republic. The Conference hoped that it would be possible to hold a ministerial meeting of the North Atlantic Council on October 22 to decide on the arrangements affecting NATO. This will be preceded by meetings of the four Foreign Ministers on the question of German sovereignty and of the nine Foreign Ministers.

These agreements and arrangements constitute a notable contribution to world peace. A Western Europe is now emerging which, resting on the close association of the United Kingdom with the Continent and on growing friendship between the participating countries, will re-inforce the Atlantic community. The system elaborated by the Conference will further the development of European unity and integration.

ANNEX

DRAFT DECLARATION AND DRAFT PROTOCOL TO BRUSSELS TREATY

The Governments of Belgium, France, Luxembourg, the Netherlands and the United Kingdom, parties to the Brussels Treaty of March 17, 1948, for collaboration in economic, social and cultural matters and for legitimate collective self-defence,

Aware that the principles underlying the association created by the Brussels Treaty are also recognised and applied by the Federal Republic of Germany and Italy,

Noting with satisfaction that their devotion to peace and their allegiance to democratic institutions constitute common bonds between the countries of Western Europe,

Convinced that an association with the Federal Republic of Germany and Italy would represent a new and substantial advance in the direction already indicated by the treaty,

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DECIDE,

In application of Article IX of the treaty, to invite the Federal Republic of Germany and Italy to accede to the Brussels Treaty, as revised and completed by the protocol (and list of agreements and documents to be specified in the final text).

DRAFT PROTOCOL TO THE BRUSSELS TREATY

H. M. King of the Belgians, the President of the French Republic, President of the French Union, H. R. H. the Grand Duchess of Luxembourg, H. M. the Queen of the Netherlands, H. M. the Queen of the United Kingdom of Great Britain and Northern Ireland and of her other realms and territories, head of the Commonwealth, parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March 17, 1948, hereinafter referred to as the treaty, on the one hand.

And the President of the Federal Republic of Germany and the President of the Italian Republic on the other hand,

Inspired by a common will to strengthen peace and security,

Desirous to this end of promoting the unity and of encouraging the progressive integration of Europe,

Convinced that the accession of the Federal Republic of Germany and the Italian Republic to the treaty will represent a new and substantial advance towards these aims:

ARTICLE I

The Federal Republic of Germany and the Italian Republic hereby accede to the treaty, as revised and completed by the present protocol (and the list of agreements and documents).

ARTICLE II

(A) The subparagraph of the preamble to the treaty "to take such steps as may be held necessary in the event of renewal by Germany of a policy of aggression" shall be modified to read:

"To promote the unity and to encourage the progressive integration of Europe."

(B) The following new article shall be inserted in the treaty as Article IV:

"IV. In execution of the treaty, the high contracting parties and any organs established by them under the treaty shall work in close cooperation with the North Atlantic Treaty Organization."

The present Article IV of the treaty and the succeeding articles shall be renumbered accordingly.

(C) Article VIII, formerly Article VII, of the treaty, shall read:

"For the purpose of consulting together on all questions dealt with in the present treaty and its protocol and the agreements and other documents set out in Article I above and of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer cooperation between member states and with other European organisations, the high contracting parties will create a council, which shall be so organised as to be able to exercise its functions continuously. The council shall meet at such times as it shall deem fit.

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"At the request of any of the high contracting parties, the council shall be immediately convened in order to permit the high contracting parties to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or with regard to any situation constituting a danger to economic stability."

ARTICLE III

The present protocol and the agreements set out in Article II above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government. They shall enter into force upon the date of deposit of the last instrument of ratification.

ANNEX

STATEMENT BY THE UNITED STATES SECRETARY OF STATE (THE HON. JOHN FOSTER DULLES) AT THE FOURTH PLENARY MEETING [SEPTEMBER 29]

At the time when we thought that the European Defense Community Treaty would promptly be put to a vote of the French Parliament—that was some time last spring—the United States indicated that it would be prepared to make a declaration with respect to its intentions as to the maintenance of armed forces in Europe in the event that the European Defense Community Treaty should come into force. The text of that message was communicated to the six nations that were signatory to the European Defense Community Treaty and also to the United Kingdom. The essence of that declaration was that the United States would continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary to contribute its fair share of the forces needed for the joint defense of the North Atlantic area while the threat to that area exists, and that we would continue to maintain such forces in accordance with the agreed North Atlantic strategy for the defense of this area. There were other provisions of that declaration. In fact, there were six, one of which related to treating the North Atlantic Treaty as a treaty of indefinite duration, rather than only for a fixed period of years.

I do not need, I think, to read the full text of that declaration, because it has, as I say, been communicated to all of the governments who are represented here. You doubtless are already familiar with, and can readily consult, the text which was sent to you at that time. That declaration was made, as I say, in anticipation of the coming into force of the European Defense Community Treaty. The declaration was made after consultation with the leaders of both parties in the Congress of the United States. It would have been as solemn and definitive an obligation as the United States is constitutionally capable of making in this matter.

I should perhaps explain that under our constitutional system the President of the United States is Commander in Chief of the Armed Forces of the United States and, as such, has the right to determine their disposition. That is a right which cannot be impaired by action of the Congress. Also, while Congress has no authority to deprive the President of his right as Commander in Chief of the Armed Forces to make such disposition of those forces as he believes to be in the in-

terest of the security of the United States, it is equally the case that one President of the United States is not constitutionally able to bind his successors in this matter.

Each President of the United States comes into office enjoying the right to dispose of the armed forces of the United States as he thinks best serves the interests of the United States in accordance with the advice which he gets from his military advisers.

Therefore it is not constitutionally possible for the United States by treaty, by law, or in any other way to make a legally binding, fixed commitment to maintain any predetermined quota of armed forces in any particular part of the world for any particular period of time.

It is nevertheless possible for the President to define a policy which in his opinion makes it appropriate to maintain certain elements of the armed forces of the United States in certain areas in pursuance of that policy. And if the policy is a basic and fundamental one, it is extremely unlikely that that allocation of forces would be altered. Now, this declaration that I refer to was designed to involve an exercise, to the fullest degree possible under our constitutional system, of the determination of our Government to support the European Defense Community by contributing armed forces which would be subject to integration with its forces, and that declaration was made with the confidence that the policy that it reflected would be pursued because of the very great interest which the United States has in the creation of unity in Europe, and the fact that our Nation has historically shown its willingness to make tremendous contributions if, in its opinion, that will aid in the real unification of Europe.

I might recall that the European Recovery Plan—the Marshall plan as it was called—was made pursuant to a congressional act which said that the purpose was to promote the unification of Europe. The North Atlantic Treaty was an engagement which was quite unprecedented for the United States. It was quite unprecedented for the United States to make that kind of long-range alliance with other countries. That was directly contrary to our earlier policies which had been pursued for over 100 years. That action was taken only after the European countries themselves had first come together under this Brussels Treaty which we are talking about so much today. It was the encouragement which comes from that which very largely led to our going on and joining in the commitments of the North Atlantic Treaty.

The first action taken to provide military aid to Europe was under the Military Defense Assistance Act of 1949. The language of it was that it was designed to promote the integration of the defense of Europe. I think that the history of our action, both our positive action and negative action, shows that we respond in many ways like a barometer to the climate which exists in Europe. If the climate is one of unity and cohesion, our assistance and aid of every kind goes out. If the climate is one of dissension, disunity, revival of threats of war, perpetuation of the cycle of recurrent war, then our tendency is to withdraw. The declaration which we felt able to make in support of the European Defense Community was on the assumption that that was a permanent act which would tie together organically the countries of Europe which in the past have been separate and among whom war has been bred. We felt that it tied them together so permanently, so organically, that we could regard that old chapter

as a closed chapter and could hopefully commit our strength to Europe in the confidence that our soldiers over here in Europe would be in a structure which was safe and sound, that we were not putting our troops in the midst of what has historically been the world's worst fire hazard.

Now, a committal of that character is not lightly made, and I would say in all frankness that as the situation stands today it would not be possible for the President of the United States to renew that committal. There has been a great wave of disillusionment which has swept over the United States, and it is particularly manifest in the Congress—a great wave of disillusionment over what has happened, and a feeling that, after all, the situation in Europe is pretty hopeless and the United States had better not make any long-term committals to be part of it.

That conclusion is so disastrous in my opinion both for the nations of Europe and for the United States that I hope most ardently that what is done here will make it possible to come to a different conclusion, and that it will change the atmosphere, the feeling, in the United States to a degree which will permit of a renewal of the pledge by the United States to maintain in Europe such elements of its armed forces as may be necessary or appropriate to contribute our fair share of what is needed for the common defense of this North Atlantic area while the threat to that area exists. I cannot say at this moment that a renewal of that commitment is possible. I can say, and must repeat, that, as things stand today, it is not possible. But if, out of the elements of the situation with which we are dealing—if, using the Brussels Treaty as a nucleus, it is possible to find in this new pattern a continuing hope of unity among the countries of Europe that are represented here, and if the hopes that were tied into the European Defense Community Treaty can reasonably be transferred into the arrangements which will be the outgrowth of this meeting, then I would certainly be disposed to recommend to the President that he should renew a pledge comparable to that which was offered in connection with the European Defense Community Treaty.

Obviously the context of the pledge would have to be changed, because in the form in which it was given it related distinctively to the European Defense Community Treaty.

Just what rephrasing would be required to give it the new look that would be appropriate to the new situation, that is a matter which I have not studied and which could not usefully be studied until we know whether or not a promise of genuine and durable unity will come out of the deliberations of this gathering and those which may succeed it.

That, Mr. Chairman, is as clear a statement as I can make today of the position of my Government in relation to this matter. We are extremely anxious to contribute all that we can from a material and constitutional standpoint to promote the kind of unification which will above all end a situation which has led to recurrent wars which have weakened and drained the Western nations so that our whole Western civilization is in jeopardy as never before in a thousand years.

In reason you can count on us. I think that what we have done since the end of the war in terms of economic contribution, military contributions, the willingness to contribute our best and ablest brains in terms of both military and economic matters, all of that I think is a

proof which cannot be challenged as to what our disposition is in this matter. You can be confident that that disposition will be reflected by genuine support to the extent that is appropriate if there is, on this side, the movement toward unity, if there is a beacon light still ahead, if we do not feel that we have come to a watershed where efforts toward unity finally are ended and we are going down on the other side into the abyss of continuing disunity. I do not think that is going to happen. If it does not happen, then you can count on the United States' acting in support of what the European countries do. I believe that you will find that the American flag, with all it symbolizes, will continue to fly alongside of your own here in Europe.

STATEMENT BY THE UNITED KINGDOM SECRETARY OF STATE (THE RT. HON. ANTHONY EDEN, M. P.) AT THE FOURTH PLENARY MEETING [SEPTEMBER 29]

Gentlemen, I think we all feel that we have just listened to a statement from the United States Secretary of State of very rare quality and much valued frankness. What he has said to us, those of us who are European, is I think all that in present conditions we could possibly expect from the United States.

As we survey these post-war years we, I fear, too readily at times take for granted what this generous brother has done for us in Europe at a time when but for his help all must have collapsed in confusion and, perhaps, into communism also. On behalf of the country I represent here, I would like to assure him that what the United States has done are not—"All good deeds past, forgot as soon as done"—but will be remembered with thankfulness, and not for our own sakes alone. So I would like to tell Mr. Foster Dulles that the words he has said, so far as our Government are concerned, will be examined with gratitude and with understanding, and that we shall do our best—I believe this conference will do its best—to prove worthy of that greater confidence the United States will show as we establish our ability to prove our unity and our strength.

Now in all this I am conscious that my own country has a part to play. I do not want to go back over the full history of past declarations and past undertakings, though there are perhaps one or two that I ought to mention if the setting of what I want to say this afternoon is to be understood. We gave, as the United States Government gave, a series of undertakings to the EDC. We gave them by treaty, we gave them by agreement, we gave them by declarations, and, as I have already informed my colleagues, we stand by those undertakings and we are ready to reaffirm them. They are not, I think, unimportant, but some of them are, it is true, inapplicable in the absence of EDC. Some of those that have as a result of the disappearance of EDC now disappeared may, and probably will, be covered by the proposals which this conference is now considering. The provision of automatic military assistance, for instance, which was contained in our treaty with EDC will be reproduced, I trust, by the proposed enlargement of the Brussels Treaty. Cooperation between the armed forces; the deployment and integration of those forces; consultation about the level of forces, will all now take place, though perhaps within a different framework.

I am very conscious, and so are my colleagues, that there is one particular plane on which many of you here would wish us to make our position clearer, and where, if we were able to do so, it might assist the work of this conference. This relates to the maintenance of British forces on the continent of Europe, and in respect of that I have a new proposal to put to my colleagues. The United Kingdom will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces which are now assigned to SACEUR—four divisions and the tactical Air Force—or whatever SACEUR regards as equivalent fighting capacity.

The United Kingdom undertakes not to withdraw those forces against the wishes of the majority of the Brussels Treaty Powers, who should take their decision in the knowledge of SACEUR's views. This undertaking would be subject to the understanding that an acute overseas emergency might oblige Her Majesty's Government to omit this procedure. If maintenance of the United Kingdom forces on the mainland of Europe throws at any time too heavy a strain on the external finances of the United Kingdom, then we would invite the North Atlantic Council to review the financial conditions on which the formations are maintained.

My colleagues will realise that what I have announced is for us a very formidable step to take. You all know that ours is above all an island story. We are still an island people in thought and tradition, whatever the modern facts of weapons and strategy may compel. And it has been not without considerable reflection that the Government which I represent here has decided that this statement could be made to you this afternoon. I want only to add this: we are making it in just the same spirit as Mr. Dulles spoke just now, because we hope that by doing so we shall make a contribution to enable this conference to succeed, and recreate confidence on this European continent, and make it possible for us to show an example of unity to the world. Of course, you will understand that what we have just said, and the undertaking we are prepared to give, does depend on the outcome of our work. If we succeed here, then this undertaking stands; if we do not, H. M. Government could not regard itself as committed to what I have said this afternoon. That applies to the whole of our work, all the work that we are doing here. So I can only conclude by saying I hope the conference will consider that what we have said will be a contribution to bring us at least a stage nearer the successful conclusion of our labours.

STATEMENT BY THE CANADIAN MINISTER FOR EXTERNAL AFFAIRS
(THE HON. LESTER PEARSON) AT THE FOURTH PLENARY MEETING
[SEPTEMBER 29]

Mr. Chairman, this item on the agenda, which I apologise for returning to—item 5—is headed "United Kingdom and United States Declarations." I assume that under it I would be quite in order in expressing great appreciation for the statements which have been made by you and by Mr. Dulles this afternoon, and I hope I would not be ruled out of order if I make a short declaration on behalf of my own country.

Your statement, Mr. Chairman, if I may say so, was one of historic importance. If it is thought, as it sometimes is, that the United

Kingdom looks across the Channel more intensely in war than in peacetime, that feeling certainly must have been removed by your statement earlier this afternoon. To me it was all the more impressive because I recognise that the source of the power and the glory of this island has been its vision across the seas.

The statement of Mr. Dulles was also important, not only for the development of European unity but for that larger Atlantic Community development with which we are all concerned. Indeed, as I see it, European unity cannot be effectively secured unless the lines not only across the Channel but across the Atlantic are strong and unbroken. My country has a part to play in this Atlantic aspect of the problem. Therefore we accept the continuing obligations arising out of our membership of the North Atlantic Treaty Organization, and we are resolved to continue to do our best to discharge them. The disappearance of EDC does not, we think, affect those obligations, because EDC—though we were indeed disappointed in its disappearance—because EDC, as we saw it, was a means to an end and not an end in itself. We are here to find an alternative method to accomplish the same purpose. That alternative method, that alternative arrangement, must include the association of Germany not only with the defence of Europe and the West, but—and this is, I am sure, equally important—with the development of the Atlantic Community; an association to be brought about in such a way that the fears that we have inherited from the unhappy past will be replaced by a new and better hope for the future.

So new methods are being discussed this week and new solutions are being sought. As far as we are concerned, however, the North Atlantic Treaty Organization remains the focal point of our participation in collective defence and of our hope for the development of closer co-operation with the other peoples of the Atlantic Community. As such, it remains a foundation of Canadian foreign policy. Indeed, enduring and whole-hearted support for NATO is for us a policy above politics on which I think our friends can rely.

That support in defence matters is now worked out each year by consultation through the appropriate agencies of our organization—that is, NATO. Apart from mutual aid, it now takes the form of naval forces, an infantry brigade group, and an air division of 12 jet fighter squadrons stationed in Europe. We will continue to assist in the common defence through the existing NATO procedures until better ones are agreed on. The presence of these Canadian forces on the European continent is not only a measure of our military contribution to the common defence but an evidence of our belief in the future of the North Atlantic Community.

While we emphasize, then, our belief in the North Atlantic Treaty Organization, we welcome the proposed extension of the Brussels Treaty. We shall look forward to a growing relationship within the framework of NATO to the Brussels Treaty countries with whom we are bound by such close ties.

We are sure, and I hope our confidence will be realized—I know it will—that these new arrangements through Brussels can be developed without weakening or diminishing NATO in any way in its essential functions, because NATO, with Germany associated with it under agreed arrangements, should, we think, be a stronger force than ever

against war, and for the progressive development of the Atlantic Community.

We are also certain, Mr. Chairman, that in this development the United States, which has played such a magnificent, generous, and indeed essential part, will continue to be able to do so. Mr. Dulles has given us hope in that regard this afternoon.

We Canadians, being neighbours of the United States, know as well as anybody else that that country does not fail to accept and to meet, successfully, any great international challenge which faces it. We are certain that in the days ahead it will continue to meet the challenge of assisting in the development of European unity and the Atlantic Community—and the two go together.

The work, then, which we are doing this week must, in order to succeed, make possible the continued contribution of the United States to these great objectives. If that is done, and I know it is going to be done, it will also, I assure you, make it much easier for my own country to continue to do its share.

ANNEX

CONFERENCE PAPER ON A GERMAN DEFENCE CONTRIBUTION AND ARRANGEMENTS TO APPLY TO SACEUR'S FORCES ON THE CONTINENT

The nine Governments represented at the London Conference agree to instruct representatives to draw up in Paris, in concert with the military and civilian agencies of NATO through the Secretary General, detailed proposals, for approval by the North Atlantic Council, for a German defence contribution and arrangements to be applied to SACEUR's forces on the Continent. These detailed proposals shall be based on the following principles agreed between the nine Governments:

1. (a) The seven Brussels Treaty Powers will conclude a special agreement setting out the forces each of them will place under SACEUR on the Continent.

- (b) The German contribution shall conform in size and general characteristics to the contribution fixed for the EDC brought up to date and adapted as necessary to make it suitable for NATO.

- (c) The terms of this special agreement will be agreed with the other NATO countries.

- (d) If at any time the NATO Annual Review recommends an increase above the figures in the Brussels Special Agreement such increase will require the unanimous approval of the Brussels Powers expressed in the Brussels Council or in NATO.

- (e) The Brussels Powers will ask that arrangements be made for SACEUR to designate a high-ranking officer who will be instructed to transmit regularly to the Brussels Treaty Organisation information acquired as indicated in 3 (f) below in order to permit that Organisation to establish that the figures agreed among the Brussels Powers are being observed.

2. All forces of NATO countries stationed on the Continent of Europe shall be placed under the authority of SACEUR, with the exception of the forces which NATO has recognised or will recognise as suitable to remain under national command. The

strength and armaments on the Continent of the internal defence forces and of the police belonging to the members of the Brussels Treaty Organisation shall be fixed by agreements made within this Organisation, taking into account the task for which they are intended and on the basis of existing levels and needs.

3. Arrangements to apply to SACEUR's forces:

(a) Forces placed under SACEUR on the Continent shall be deployed in accordance with NATO strategy.

(b) The location of such forces shall be determined by SACEUR after consultation and agreement with the national authorities concerned.

(c) Such forces shall not be redeployed on the Continent nor used operationally on the Continent without his consent subject to appropriate political guidance from the North Atlantic Council.

(d) Forces placed under SACEUR on the Continent shall be integrated as far as possible consistent with military efficiency.

(e) Arrangements shall be made for the closer co-ordination of logistics by SACEUR.

(f) The level and effectiveness of forces placed under SACEUR on the Continent and the armaments, equipment, logistics and reserve formations of those forces on the Continent shall be inspected by SACEUR.

**DOCUMENTS RELATING TO THE NORTH ATLANTIC TREATY
ORGANIZATION**

**RESOLUTION TO IMPLEMENT SECTION IV OF THE FINAL
ACT OF THE LONDON CONFERENCE CONCERNING THE
POWERS OF THE SUPREME ALLIED COMMANDER,
EUROPE**

THE NORTH ATLANTIC COUNCIL:

1. *Recognising* the necessity of strengthening the structure of the North Atlantic Treaty Organization and of reinforcing the machinery for the collective defence of Europe, and desirous of specifying the conditions governing joint examination of the defence effort of member countries,

2. *Recalls* that:

(a) the resources which member nations intend to devote to their defence effort as well as the level, composition and quality of the forces which the member nations are contributing to the defence of the North Atlantic area are each year subject to collective examination in the NATO Annual Review for the purpose of reaching agreement on force goals, taking into account expected mutual aid;

(b) the defence expenditures incurred by the member nations and the extent to which the recommendations emerging from the Annual Review have been carried out are the subject of periodical review during the year.

3. *Agrees* with the terms of the Agreement on Forces of Western European Union; and that with respect to the forces which the members of Western European Union will place under NATO Command on the mainland of Europe and for which maximum figures have been established in that Agreement, if at any time during the NATO Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits established in this Agreement, the acceptance by the country concerned of such recommended increases shall be subject to unanimous approval by the members of Western European Union, expressed either in the Council of Western European Union or in the North Atlantic Treaty Organization.

4. *Decides* that all forces of member nations stationed in the area of the Allied Command Europe shall be placed under the authority of the Supreme Allied Commander Europe or other appropriate NATO Command and under the direction of the NATO military authorities with the exception of those forces intended for the defence of overseas territories and other forces which the North Atlantic Treaty Organization has recognised or will recognise as suitable to remain under national command.

5. *Invites* member nations to make an initial report for consideration and recognition by the Council on those forces which they plan to maintain within the area of Allied Command Europe for the common defence, but not to place under the authority of the North Atlantic Treaty Organization, taking into account the provisions of relevant NATO directives bearing on that subject; the initial report will include a broad statement of the reason for which the above forces are not so placed. Thereafter, if any changes are proposed, the North Atlantic Council action on the NATO Annual Review will constitute recognition as to the suitability and size of forces to be placed under the authority of the appropriate NATO Command and those to be retained under national command.

6. *Notes* that the agreements concluded within the framework of the Organization of Western European Union on the internal defence and police forces which the members of that Organization will maintain on the mainland shall be notified to the North Atlantic Council.

7. *Agrees*, in the interest of most effective collective defence, that in respect of combat forces in the area of Allied Command Europe and under the Supreme Allied Commander Europe;

(a) all deployments shall be in accordance with NATO strategy;

(b) the location of forces in accordance with NATO operational plans shall be determined by the Supreme Allied Commander Europe after consultation and agreement with the national authorities concerned;

(c) forces under the Supreme Allied Commander Europe and within the area of Allied Command Europe shall not be redeployed or used operationally within that area without the consent of the Supreme Allied Commander Europe, subject to political guidance furnished by the North Atlantic Council, when appropriate, through normal channels.

8. *Decides That:*

(a) integration of forces at Army Group and Tactical Air Force level shall be maintained;

(b) in view of the powerful combat support units and logistic support organization at Army level, integration at that level and associated Air Force level will be the rule, wherever formations of several nationalities are operating in the same area and on a common task, provided there are no overriding objections from the point of view of military effectiveness;

(c) wherever military efficiency permits, in light of the size, location and logistic support of forces, integration at lower levels, both in the land and air forces, shall be achieved to the maximum extent possible;

(d) proposals to the North Atlantic Council, indicating any increases in commonly financed items of expenditure, such as infrastructure which might be entailed by the adoption of such measures, should be submitted by the NATO military authorities.

9. *Agrees* that, in order to improve the capability of the Supreme Allied Commander Europe to discharge his responsibilities in the defence of Allied Command Europe, his responsibilities and powers for the logistic support of the forces placed under his authority shall be extended.

10. *Considers* that these increased responsibilities and powers should include authority:

- (a) to establish, in consultation with the national authorities concerned, requirements for the provisions of logistic resources;¹
- (b) to determine, in agreement with the national authorities concerned, their geographic distribution;
- (c) to establish, in consultation with these authorities, logistic priorities for the raising, equipping and maintenance of units;
- (d) to direct the utilisation, for meeting his requirements, of those portions of the logistic support systems made available to him by the appropriate authorities;
- (e) to co-ordinate and supervise the use, for logistical purposes, of NATO common infrastructure facilities and of those national facilities made available to him by the national authorities.

11. *Agrees* that, in order to ensure that adequate information is obtained and made available to the appropriate authorities about the forces placed under the Supreme Allied Commander Europe including reserve formations and their logistic support within the area of Allied Command Europe, the Supreme Allied Commander Europe shall be granted increased authority to call for reports regarding the level and effectiveness of such forces and their armaments, equipment and supplies as well as the organization and location of their logistic arrangements. He shall also make field inspections within that area as necessary.

12. *Invites* nations to submit to the Supreme Allied Commander Europe such reports to this end as he may call for from time to time; and to assist inspection within the area of Allied Command Europe by the Supreme Allied Commander Europe of these forces and their logistic support arrangements as necessary.

13. *Confirms* that the powers exercised by the Supreme Allied Commander Europe in peacetime extend not only to the organization into an effective integrated force of the forces placed under him but also to their training; that in this field, the Supreme Allied Commander Europe has direct control over the higher training of all national forces assigned to his command in peacetime; and that he should receive facilities from member nations to inspect the training of those cadre and other forces within the area of Allied Command Europe earmarked for that Command.

14. *Directs* the NATO military authorities to arrange for the designation by the Supreme Allied Commander Europe of a high-ranking officer of his Command who will be authorised to transmit regularly to the Council of Western European Union information relating to the forces of the members of Western European Union on the mainland of Europe acquired as a result of the reports and inspections mentioned in paragraphs 11 and 12 in order to enable that Council to establish that the limits laid down in the special agreement mentioned in paragraph 3 above are being observed.

15. *Agrees* that the expression "the area of Allied Command Europe" as used throughout this Resolution shall not include North Africa; and that this Resolution does not alter the present status of the United Kingdom and United States forces in the Mediterranean.

16. *Directs* the NATO Military Committee to initiate the necessary changes in the directives to give effect to the above policies and objectives of the North Atlantic Council.

¹ By logistic resources should be understood all the matériel, supplies, installations and parts thereof necessary for the prolonged conduct of combat operations.

RESOLUTION ON RESULTS OF THE FOUR AND NINE
POWER MEETINGS

(Adopted by the North Atlantic Council on 22d October 1954)

THE NORTH ATLANTIC COUNCIL:

Recognising that all the arrangements arising out of the London Conference form part of one general settlement which is directly or indirectly of concern to all the NATO Powers and has therefore been submitted to the Council for information or decision;

Have Learnt with satisfaction of the arrangements agreed between the Governments of France, the United Kingdom and the United States of America and of the Federal Republic of Germany for the termination of the occupation régime in the Federal Republic as set forth in the Protocol communicated to the Council;

Welcome the decision of the Brussels Treaty Powers to invite the Federal Republic of Germany and Italy to accede to the Brussels Treaty as modified and completed by the Protocols and other documents communicated to the Council, and hereby record their agreement with the provisions of those Protocols and documents insofar as they concern action by the North Atlantic Treaty Organization;

Welcome the extension of the Brussels Treaty as an important step toward the achievement of European unity; and express confidence that there will be the closest co-operation between the Western European Union and the North Atlantic Treaty Organization which remains the foundation of the security and progress of the Atlantic Community.

Take Note with satisfaction of the statements made on 29th September 1954 in London by the United States Secretary of State and the Canadian Secretary of State for External Affairs, and of the declaration by the Foreign Secretary of the United Kingdom concerning the maintenance of United Kingdom forces on the continent of Europe;

Finally,

Record their deep satisfaction at the happy conclusion of all the above arrangements which together constitute a decisive step in fortifying the North Atlantic Alliance and uniting the Free World.

RESOLUTION OF ASSOCIATION WITH THE TRIPARTITE
DECLARATION OF OCTOBER 3, 1954

THE NORTH ATLANTIC COUNCIL,

Welcoming the declaration made in London by the Government of the Federal Republic of Germany on 3rd October, 1954,* and the related declaration made on the same occasion by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic,*

Notes With Satisfaction that the representatives of the other Parties to the North Atlantic Treaty have, on behalf of their Governments, today associated themselves with the aforesaid declaration of the Three Powers.

*See Section V of the Final Act of the London Conference.

DOCUMENTS RELATING TO THE BRUSSELS TREATY

PROTOCOL MODIFYING AND COMPLETING THE
BRUSSELS TREATY

Paris, October 23, 1954

His Majesty, The King of the Belgians, the President of the French Republic, President of the French Union, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty The Queen of the Netherlands and Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March the 17th, 1948, hereinafter referred to as the Treaty, on the one hand,

and the President of the Federal Republic of Germany and the President of the Italian Republic on the other hand,

Inspired by a common will to strengthen peace and security;

Desirous to this end of promoting the unity and of encouraging the progressive integration of Europe;

Convinced that the accession of the Federal Republic of Germany and the Italian Republic to the Treaty will represent a new and substantial advance towards these aims;

Having taken into consideration the decisions of the London Conference as set out in the Final Act of October the 3rd, 1954, and its Annexes;

Have appointed as their Plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

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Her Majesty The Queen of the United Kingdom of Great Britain
and Northern Ireland and of Her other Realms and Territories,
Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern
Ireland

The Right Honourable Sir Anthony Eden, K. G., M. C.,
Member of Parliament, Principal Secretary of State
for Foreign Affairs.

Who, having exhibited their full powers found in good and due form,
Have agreed as follows:—

ARTICLE I

The Federal Republic of Germany and the Italian Republic hereby
accede to the Treaty as modified and completed by the present
Protocol.

The High Contracting Parties to the present Protocol consider the
Protocol on Forces of Western European Union (hereinafter referred
to as Protocol No. II), the Protocol on the Control of Armaments and
its Annexes (hereinafter referred to as Protocol No. III), and the
Protocol on the Agency of Western European Union for the Control
of Armaments (hereinafter referred to as Protocol No. IV) to be an
integral part of the present Protocol.

ARTICLE II

The sub-paragraph of the Preamble to the Treaty: "to take such
steps as may be held necessary in the event of renewal by Germany
of a policy of aggression" shall be modified to read: "to promote the
unity and to encourage the progressive integration of Europe."

The opening words of the 2nd paragraph of Article I shall read:
"The co-operation provided for in the preceding paragraph, which will
be effected through the Council referred to in Article VIII. . . ."

ARTICLE III

The following new Article shall be inserted in the Treaty as Article
IV:

"In the execution of the Treaty the High Contracting Parties and
any organs established by Them under the Treaty shall work in close
co-operation with the North Atlantic Treaty Organisation.

"Recognising the undesirability of duplicating the Military Staffs of
NATO, the Council and its agency will rely on the appropriate
Military Authorities of NATO for information and advice on
military matters."

Articles IV, V, VI and VII of the Treaty will become respectively
Articles V, VI, VII and VIII.

ARTICLE IV

"Article VIII of the Treaty (formerly Article VII) shall be modified
to read as follows:—

"1. For the purposes of strengthening peace and security and of
promoting unity and of encouraging the progressive integration of

Europe and closer co-operation between Them and with other European organisations, the High Contracting Parties to the Brussels Treaty shall create a Council to consider matters concerning the execution of this Treaty and of its Protocols and their Annexes.

"2. This Council shall be known as the "Council of Western European Union"; it shall be so organised as to be able to exercise its functions continuously; it shall set up such subsidiary bodies as may be considered necessary: in particular it shall establish immediately an Agency for the Control of Armaments whose functions are defined in Protocol No. IV.

"3. At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability.

"4. The Council shall decide by unanimous vote questions for which no other voting procedure has been or may be agreed. In the cases provided for in Protocols II, III and IV it will follow the various voting procedures, unanimity, two-thirds majority, simple majority, laid down therein. It will decide by simple majority questions submitted to it by the Agency for the Control of Armaments."

ARTICLE V

A new Article shall be inserted in the Treaty as Article IX: "The Council of Western European Union shall make an Annual Report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe."

The Articles VIII, IX and X of the Treaty shall become respectively Articles X, XI and XII.

ARTICLE VI

The present Protocol and the other Protocols listed in Article I above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government.

They shall enter into force when all instruments of ratification of the present Protocol have been deposited with the Belgian Government and the instrument of accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

The Belgian Government shall inform the Governments of the other High Contracting Parties and the Government of the United States of America of the deposit of each instrument of ratification.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done at Paris this 23rd day of October, 1954, in two texts, in the English and French languages, each text being equally authoritative in a single copy which shall remain deposited in the archives of the

Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L. s.] P.-H. SPAAK.

For France:

[L. s.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L. s.] ADENAUER.

For Italy:

[L. s.] G. MARTINO.

For Luxembourg:

[L. s.] JOS. BECH.

For the Netherlands:

[L. s.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L. s.] ANTHONY EDEN.

PROTOCOL NO. II ON FORCES OF WESTERN EUROPEAN UNION

Paris, October 23, 1954

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, and Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having consulted the North Atlantic Council,

Have appointed as their Plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg
His Excellency M. Joseph Bech, Prime Minister, Minister of
Foreign Affairs.

Her Majesty the Queen of the Netherlands
His Excellency M. Johan Willem Beyen, Minister of Foreign
Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain
and Northern Ireland and of Her other Realms and Territories,
Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern
Ireland

The Right Honourable Sir Anthony Eden, K. G., M. C.,
Member of Parliament, Principal Secretary of State
for Foreign Affairs.

Have agreed as follows:—

ARTICLE 1

1. The land and air forces which each of the High Contracting Parties to the present Protocol shall place under the Supreme Allied Commander, Europe, in peace-time on the mainland of Europe shall not exceed in total strength and number of formations:

(a) for Belgium, France, the Federal Republic of Germany, Italy and the Netherlands, the maxima laid down for peace-time in the Special Agreement annexed to the Treaty on the Establishment of a European Defence Community signed at Paris, on May 27, 1952; and

(b) for the United Kingdom, four divisions and the Second Tactical Air Force;

(c) for Luxembourg, one regimental combat team.

2. The number of formations mentioned in paragraph 1 may be brought up to date and adapted as necessary to make them suitable for the North Atlantic Treaty Organisation, provided that the equivalent fighting capacity and total strengths are not exceeded.

3. The statement of these maxima does not commit any of the High Contracting Parties to build up or maintain forces at these levels, but maintains their right to do so if required.

ARTICLE 2

As regards naval forces, the contribution to N. A. T. O. Commands of each of the High Contracting Parties to the present Protocol shall be determined each year in the course of the Annual Review (which takes into account the recommendations of the N. A. T. O. military authorities). The naval forces of the Federal Republic of Germany shall consist of the vessels and formations necessary for the defensive missions assigned to it by the North Atlantic Treaty Organisation within the limits laid down in the Special Agreement mentioned in Article 1, or equivalent fighting capacity.

ARTICLE 3

If at any time during the Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits specified in Articles 1 and 2, the acceptance by the country concerned of such recommended increases shall be subject to the unanimous approval of the High Contracting Parties to the present Protocol expressed either in the Council of Western European Union or in the North Atlantic Treaty Organisation.

ARTICLE 4

In order that it may establish that the limits specified in Articles 1 and 2 are being observed, the Council of Western European Union will regularly receive information acquired as a result of inspections carried out by the Supreme Allied Commander, Europe. Such information will be transmitted by a high-ranking officer designated for the purpose by the Supreme Allied Commander, Europe.

ARTICLE 5

The strength and armaments of the internal defence and police forces on the mainland of Europe of the High Contracting Parties to the present Protocol shall be fixed by agreements within the Organisation of Western European Union, having regard to their proper functions and needs and to their existing levels.

ARTICLE 6

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces which are now assigned to the Supreme Allied Commander, Europe, that is to say, four divisions and the Second Tactical Air Force, or such other forces as the Supreme Allied Commander, Europe, regards as having equivalent fighting capacity. Her Majesty undertakes not to withdraw these forces against the wishes of the majority of the High Contracting Parties who should take their decision in the knowledge of the views of the Supreme Allied Commander, Europe. This undertaking shall not, however, bind Her Majesty in the event of an acute overseas emergency. If the maintenance of the United Kingdom forces on the mainland of Europe throws at any time too great a strain on the external finances of the United Kingdom, Her Majesty will, through Her Government in the United Kingdom of Great Britain and Northern Ireland, invite the North Atlantic Council to review the financial conditions on which the United Kingdom formations are maintained.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article 1 of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

Done at Paris this 23rd day of October, 1954, in two texts in the English and French languages, each text being equally authoritative,

in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L.S.] P.-H. SPAAK.

For France:

[L.S.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L.S.] ADENAUER.

For Italy:

[L.S.] G. MARTINO.

For Luxembourg:

[L.S.] JOS. BECH.

For the Netherlands:

[L.S.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L.S.] ANTHONY EDEN.

PROTOCOL NO. III ON THE CONTROL OF ARMAMENTS

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty.

Have appointed as their plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain
and Northern Ireland and of Her other Realms and Territories,
Head of the Commonwealth,
For the United Kingdom of Great Britain and Northern
Ireland

The Right Honourable Sir Anthony Eden, K. G., M. C.,
Member of Parliament, Principal Secretary of State
for Foreign Affairs.

Have agreed as follows:—

PART 1.—ARMAMENTS NOT TO BE MANUFACTURED

ARTICLE 1

The High Contracting Parties, members of Western European Union, take note of and record their agreement with the Declaration of the Chancellor of the Federal Republic of Germany (made in London on October 3, 1954, and annexed hereto as Annex I) in which the Federal Republic of Germany undertook not to manufacture in its territory atomic, biological and chemical weapons. The types of armaments referred to in this Article are defined in Annex II. These armaments shall be more closely defined and the definitions brought up to date by the Council of Western European Union.

ARTICLE 2

The High Contracting Parties, members of Western European Union, also take note of and record their agreement with the undertaking given by the Chancellor of the Federal Republic of Germany in the same Declaration that certain further types of armaments will not be manufactured in the territory of the Federal Republic of Germany, except that if in accordance with the needs of the armed forces a recommendation for an amendment to, or cancellation of, the content of the list of these armaments is made by the competent Supreme Commander of the North Atlantic Treaty Organisation, and if the Government of the Federal Republic of Germany submit a request accordingly, such an amendment or cancellation may be made by a resolution of the Council of Western European Union passed by a two-thirds majority. The types of armaments referred to in this Article are listed in Annex III.

PART II.—ARMAMENTS TO BE CONTROLLED

ARTICLE 3

When the development of atomic, biological and chemical weapons in the territory on the mainland of Europe of the High Contracting Parties who have not given up the right to produce them has passed the experimental stage and effective production of them has started there, the level of stocks that the High Contracting Parties concerned will be allowed to hold on the mainland of Europe shall be decided by a majority vote of the Council of Western European Union.

PROTOCOLS ON THE FEDERAL REPUBLIC OF GERMANY 71

ARTICLE 4

Without prejudice to the foregoing Articles, the types of armaments listed in Annex IV will be controlled to the extent and in the manner laid down in Protocol No. IV.

ARTICLE 5

The Council of Western European Union may vary the list in Annex IV by unanimous decision.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty and have affixed thereto their seals.

Done at Paris on the 23rd day of October 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L. s.] P.-H. SPAAK.

For France:

[L. s.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L. s.] ADENAUER.

For Italy:

[L. s.] G. MARTINO.

For Luxembourg:

[L. s.] JOS. BECH.

For the Netherlands:

[L. s.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L. s.] ANTHONY EDEN.

ANNEX I

The Federal Chancellor declares:

that the Federal Republic undertakes not to manufacture in its territory any atomic weapons, chemical weapons or biological weapons, as detailed in paragraphs I, II and III of the attached list;¹

that it undertakes further not to manufacture in its territory such weapons as those detailed in paragraphs IV, V and VI of the attached list.² Any amendment to or cancellation of the substance of paragraphs IV, V and VI can, on the request of the Federal Republic, be carried out by a resolution of the Brussels Council of Ministers by a two-thirds majority, if in accordance

¹ Reproduced in Annex II.
² Reproduced in Annex III.

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with the needs of the armed forces a request is made by the competent Supreme Commander of the North Atlantic Treaty Organisation;

that the Federal Republic agrees to supervision by the competent authority of the Brussels Treaty Organisation to ensure that these undertakings are observed.

ANNEX II

This list comprises the weapons defined in paragraphs I to III and the factories earmarked solely for their production. All apparatus, parts, equipment, installations, substances and organisms, which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

I.—*Atomic Weapons*

(a) An atomic weapon is defined as any weapon which contains, or is designed to contain or utilise, nuclear fuel or radioactive isotopes and which, by explosion or other uncontrolled nuclear transformation of the nuclear fuel, or by radioactivity of the nuclear fuel or radioactive isotopes, is capable of mass destruction, mass injury or mass poisoning.

(b) Furthermore, any part, device, assembly or material especially designed for, or primarily useful in, any weapon as set forth under paragraph (a), shall be deemed to be an atomic weapon.

(c) Nuclear fuel as used in the preceding definition includes plutonium, Uranium 233, Uranium 235 (including Uranium 235 contained in Uranium enriched to over 2.1 per cent. by weight of Uranium 235) and any other material capable of releasing substantial quantities of atomic energy through nuclear fission or fusion or other nuclear reaction of the material. The foregoing materials shall be considered to be nuclear fuel regardless of the chemical or physical form in which they exist.

II.—*Chemical Weapons*

(a) A chemical weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, the asphyxiating, toxic, irritant, paralysant, growth-regulating, anti-lubricating or catalysing properties of any chemical substance.

(b) Subject to the provisions of paragraph (c), chemical substances, having such properties and capable of being used in the equipment or apparatus referred to in paragraph (a), shall be deemed to be included in this definition.

(c) Such apparatus and such quantities of the chemical substances as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from the definition.

III. *Biological Weapons*

(a) A biological weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, harmful insects or other living or dead organisms, or their toxic products.

(b) Subject to the provisions of paragraph (c), insects, organisms and their toxic products of such nature and in such amounts as to make them capable of being used in the equipment or apparatus referred to in (a) shall be deemed to be included in this definition.

(c) Such equipment or apparatus and such quantities of the insects, organisms and their toxic products as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from the definition of biological weapons.

ANNEX III

This list comprises the weapons defined in paragraphs IV to VI and the factories earmarked solely for their production. All apparatus, parts, equipment, installations, substances and organisms, which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

IV. *Long-range Missiles, Guided Missiles and Influence Mines*

(a) Subject to the provisions of paragraph (d), long-range missiles and guided missiles are defined as missiles such that the speed or direction of motion can be influenced after the instant of launching by a device or mechanism inside or outside the missile, including V-type weapons developed in the recent war and subsequent modifications thereof. Combustion is considered as a mechanism which may influence the speed.

(b) Subject to the provisions of paragraph (d), influence mines are defined as naval mines which can be exploded automatically by influences which emanate solely from external sources, including influence mines developed in the recent war and subsequent modifications thereof.

(c) Parts, devices, or assemblies specially designed for use in or with the weapons referred to in paragraphs (a) and (b) shall be deemed to be included in this definition.

(d) Proximity fuses, and short-range guided missiles for anti-aircraft defence with the following maximum characteristics are regarded as excluded from this definition:—

- Length, 2 metres;
- Diameter, 30 centimetres;
- Speed, 660 metres per second;
- Ground range, 32 kilometres;
- Weight of war-head, 22.5 kilogrammes.

V.—*Warships, with the exception of smaller ships for defence purposes*

“Warships, with the exception of smaller ships for defence purposes, are:—

- (a) Warships of more than 3,000 tons displacement;
- (b) Submarines of more than 350 tons displacement;
- (c) All warships which are driven by means other than steam, Diesel or petrol engines or by gas turbines or by jet engines.”

VI.—*Bomber aircraft for strategic purposes*

ANNEX IV

LIST OF TYPES OF ARMAMENTS TO BE CONTROLLED

- 1.—(a) Atomic,
(b) biological, and
(c) chemical weapons.

In accordance with definitions to be approved by the Council of Western European Union as indicated in Article I of the present Protocol.

2. All guns, howitzers and mortars of any types and of any rôles of more than 90-mm. calibre, including the following component for these weapons, viz, the elevating mass.

3. All guided missiles.

Definition.—Guided missiles are such that the speed or direction of motion can be influenced after the instant of launching by a device or mechanism inside or outside the missile; these include V-type weapons developed in the recent war and modifications thereto. Combustion is considered as a mechanism which may influence the speed.

4. Other self-propelled missiles of a weight exceeding 15 kilogrammes in working order.

5. Mines of all types except anti-tank and anti-personnel mines.

6. Tanks, including the following component parts for these tanks, viz:—

- (a) the elevating mass;
(b) turret castings and/or plate assembly.

7. Other armoured fighting vehicles of an overall weight of more than 10 metric tons.

- 8.—(a) Warships over 1,500 tons displacement;

- (b) submarines;

- (c) all warships powered by means other than steam, Diesel or petrol engines or gas turbines;

- (d) small craft capable of a speed of over 30 knots, equipped with offensive armament.

9. Aircraft bombs of more than 1,000 kilogrammes.

10. Ammunition for the weapons described in paragraph 2 above.

- 11.—(a) Complete military aircraft other than—

- (i) all training aircraft except operational types used for training purposes;

- (ii) military transport and communication aircraft;

- (iii) helicopters,

- (b) air frames, specifically and exclusively designed for military aircraft except those at (i), (ii) and (iii) above;

- (c) jet engines, turbo-propeller engines and rocket motors, when these are the principal motive power.

PROTOCOL NO. IV ON THE AGENCY OF WESTERN EUROPEAN UNION FOR THE CONTROL OF ARMAMENTS

Paris, October 23, 1954

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having agreed in accordance with Article IV of the Protocol Modifying and Completing the Treaty, to establish an Agency for the Control of Armaments,

Have appointed as their plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern Ireland

The Right Honourable Sir Anthony Eden, K. G., M. C., Member of Parliament, Principal Secretary of State for Foreign Affairs.

Have agreed as follows:—

PART I.—CONSTITUTION

ARTICLE 1

The Agency for the Control of Armaments (hereinafter referred to as "the Agency") shall be responsible to the Council of Western European Union (hereinafter referred to as "the Council"). It shall consist of a

Director assisted by a Deputy Director, and supported by a staff drawn equitably from nationals of the High Contracting Parties, Members of Western European Union.

ARTICLE 2

The Director and his staff, including any officials who may be put at the disposal of the Agency by States Members, shall be subject to the general administrative control of the Secretary-General of Western European Union.

ARTICLE 3

The Director shall be appointed by unanimous decision of the Council for a period of five years and shall not be eligible for re-appointment. He shall be responsible for the selection of his staff in accordance with the principle mentioned in Article 1 and in consultation with the individual States Members concerned. Before filling the posts of Deputy Director and of the Heads of Departments of the Agency, the Director shall obtain from the Council approval of the persons to be appointed.

ARTICLE 4

1. The Director shall submit to the Council, through the Secretary-General, a plan for the organisation of the Agency. The organisation should provide for departments dealing respectively with—

- (a) the examination of statistical and budgetary information to be obtained from the members of Western European Union and from the appropriate N. A. T. O. authorities;
- (b) inspections, test checks and visits;
- (c) administration.

2. The organisation may be modified by decision of the Council.

ARTICLE 5

The costs of maintaining the Agency shall appear in the budget of Western European Union. The Director shall submit, through the Secretary-General, to the Council an annual estimate of these costs.

ARTICLE 6

Officials of the Agency shall be bound by the full N. A. T. O. code of security. They shall in no circumstances reveal information obtained in connexion with the execution of their official tasks except and only in the performance of their duties towards the Agency.

PART II.—FUNCTIONS

ARTICLE 7

1. The tasks of the Agency shall be—

- (a) to satisfy itself that the undertakings set out in Protocol No. III not to manufacture certain types of armaments mentioned in Annexes II and III to that Protocol are being observed;

(b) to control, in accordance with Part III of the present Protocol, the level of stocks of armaments of the types mentioned in Annex IV to Protocol No. III held by each member of Western European Union on the mainland of Europe. This control shall extend to production and imports to the extent required to make the control of stocks effective.

2. For the purposes mentioned in paragraph 1 of this Article, the Agency shall—

(a) scrutinise statistical and budgetary information supplied by members of Western European Union and by the N. A. T. O. authorities;

(b) undertake on the mainland of Europe test checks, visits and inspections at production plants, depots and forces (other than depots or forces under N. A. T. O. authority);

(c) report to the Council.

ARTICLE 8

With respect to forces and depots under N. A. T. O. authority, test checks, visits and inspections shall be undertaken by the appropriate authorities of the North Atlantic Treaty Organisation. In the case of the forces and depots under the Supreme Allied Commander, Europe, the Agency shall receive notification of the information supplied to the Council through the medium of the high-ranking officer to be designated by him.

ARTICLE 9

The operations of the Agency shall be confined to the mainland of Europe.

ARTICLE 10

The Agency shall direct its attention to the production of end-items and components listed in Annexes II, III and IV of Protocol No. III, and not to processes. It shall ensure that materials and products destined for civilian use are excluded from its operations.

ARTICLE 11

Inspections by the Agency shall not be of a routine character, but shall be in the nature of tests carried out at regular intervals. Such inspections shall be conducted in a spirit of harmony and co-operation. The Director shall propose to the Council detailed regulations for the conduct of the inspections providing, *inter alia*, for due process of law in respect of private interests.

ARTICLE 12

For their test checks, visits and inspections the members of the Agency shall be accorded free access on demand to plants and depots, and the relevant accounts and documents shall be made available to them. The Agency and national authorities shall co-operate in such checks and inspections, and in particular national authorities may, at their own request, take part in them.

PART III.—LEVELS OF STOCKS OF ARMAMENTS

ARTICLE 13

1. Each member of Western European Union shall, in respect of its forces under N. A. T. O. authority stationed on the mainland of Europe, furnish annually to the Agency statements of:—

- (a) the total quantities of armaments of the types mentioned in Annex IV to Protocol No. III required in relation to its forces;
- (b) the quantities of such armaments currently held at the beginning of the control years;
- (c) the programmes for attaining the total quantities mentioned in (a) by:—
 - (i) manufacture in its own territory;
 - (ii) purchase from another country;
 - (iii) end-item aid from another country.

2. Such statements shall also be furnished by each member of Western European Union in respect of its internal defence and police forces and its other forces under national control stationed on the mainland of Europe including a statement of stocks held there for its forces stationed overseas.

3. The statements shall be correlated with the relevant submissions to the North Atlantic Treaty Organisation.

ARTICLE 14

As regards the forces under N. A. T. O. authority, the Agency shall verify in consultation with the appropriate N. A. T. O. authorities that the total quantities stated under Article 13 are consistent with the quantities recognised as required by the units of the members concerned under N. A. T. O. authority, and with the conclusions and data recorded in the documents approved by the North Atlantic Council in connexion with the N. A. T. O. Annual Review.

ARTICLE 15

As regards internal defence and police forces, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified by the members, provided that they remain within the limits laid down in the further agreements to be concluded by the members of Western European Union on the strength and armaments of the internal defence and police forces on the mainland of Europe.

ARTICLE 16

As regards other forces remaining under national control, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified to the Agency by the members.

ARTICLE 17

The figures furnished by members for the total quantities of armaments under Articles 15 and 16 shall correspond to the size and mission of the forces concerned.

ARTICLE 18

The provisions of Articles 14 and 17 shall not apply to the High Contracting Parties and to the categories of weapons covered in Article 3 of Protocol No. III. Stocks of the weapons in question shall be determined in conformity with the procedure laid down in that Article and shall be notified to the Agency by the Council of the Western European Union.

ARTICLE 19

The figures obtained by the Agency under Articles 14, 15, 16 and 18 shall be reported to the Council at appropriate levels for the current control year for the members of Western European Union. Any discrepancies between the figures stated under Article 13, paragraph 1, and the quantities recognised under Article 14 will also be reported.

ARTICLE 20

1. The Agency shall immediately report to the Council if inspection, or information from other sources, reveals:—

(a) the manufacture of armaments of a type which the member concerned has undertaken not to manufacture;

(b) the existence of stocks of armaments in excess of the figures and quantities ascertained in accordance with Articles 19 and 22.

2. If the Council is satisfied that the infraction reported by the Agency is not of major importance and can be remedied by prompt local action, it will so inform the Agency and the member concerned, who will take the necessary steps.

3. In the case of other infractions, the Council will invite the member concerned to provide the necessary explanation within a period to be determined by the Council; if this explanation is considered unsatisfactory, the Council will take the measures which it deems necessary in accordance with a procedure to be determined.

4. Decisions of the Council under this Article will be taken by majority vote.

ARTICLE 21

Each member shall notify to the Agency the names and locations of the depots on the mainland of Europe containing armaments subject to control and of the plants on the mainland of Europe manufacturing such armaments, or, even though not in operation, specifically intended for the manufacture of such armaments.

ARTICLE 22

Each member of Western European Union shall keep the Agency informed of the quantities of armaments of the types mentioned in Annex IV to Protocol No. III, which are to be exported from its territory on the mainland of Europe. The Agency shall be entitled to satisfy itself that the armaments concerned are in fact exported. If the level of stocks of any item subject to control appears abnormal, the Agency shall further be entitled to enquire into the orders for export.

ARTICLE 23

The Council shall transmit to the Agency information received from the Governments of the United States of America and Canada respecting military aid to be furnished to the forces on the mainland of Europe of members of Western European Union.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

Done at Paris this 23rd day of October, 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L. s.] P.-H. SPAAK.

For France:

[L. s.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L. s.] ADENAUER.

For Italy:

[L. s.] G. MARTINO.

For Luxembourg:

[L. s.] JOS. BECH.

For the Netherlands:

[L. s.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L. s.] ANTHONY EDEN.

LETTERS WITH REFERENCE TO THE JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE FROM, RESPECTIVELY, THE GOVERNMENTS OF THE FEDERAL REPUBLIC AND OF ITALY TO THE OTHER GOVERNMENTS SIGNATORY OF THE PROTOCOL MODIFYING AND COMPLETING THE BRUSSELS TREATY¹

I have the honour to make the following communication to Your Excellency in order to place on record the undertaking of the Federal/Italian Government regarding the application and interpretation of Article X (formerly Article VIII), of the Brussels Treaty.

The Federal/Italian Government undertake, before the Protocol modifying and completing the Brussels Treaty and the related Protocols and their Annexes are ratified by the High Contracting Parties,

¹ The texts printed below contain the substance of the exchange of letters between the Governments of Italy and the Federal Republic of Germany on the one hand and the Governments of France, Belgium, the Netherlands, Luxembourg, and the United Kingdom on the other.

to declare their acceptance of the compulsory jurisdiction of the International Court of Justice in accordance with Article X (formerly Article VIII) of the Treaty, having made known to the Parties the reservations accompanying their acceptance.

The Federal/Italian Government understand that, in the view of the other High Contracting Parties, paragraph 5 of Article X (formerly Article VIII) of the Treaty leaves the way open for concluding agreements on other means of settling disputes between Them, and that the undertaking in question shall in no way prejudice the possibility of opening discussions immediately with a view to establishing other methods of settling possible disputes in the application or interpretation of the Treaty.

[In the Federal Government's letter only]

Moreover, in the opinion of the Federal Government, the widening of the Brussels Treaty may give rise to a number of doubts and disputes as to the interpretation and application of the Treaty, the Protocols and their Annexes, which may not be of fundamental importance but mainly of a technical nature. The Federal Government consider that it is desirable to establish another, simpler procedure for the settlement of such matters.

The Federal Government therefore propose that the High Contracting Parties should discuss the problems set out above at once, with a view to reaching agreement on an appropriate procedure.

[In letters from both Federal and Italian Governments]

I should be grateful if Your Excellency would confirm that [the Government concerned] agree with this letter. The exchange of letters thus effected will be considered as an Annex to the Protocol modifying and completing the Brussels Treaty, within the meaning of Article IV, paragraph 1, of the said Protocol.

REPLY TO THE LETTERS FROM THE GOVERNMENTS OF
THE FEDERAL REPUBLIC AND OF ITALY TO THE OTHER
GOVERNMENTS SIGNATORY OF THE PROTOCOL MODI-
FYING AND COMPLETING THE BRUSSELS TREATY

I have the honour to acknowledge receipt of Your Excellency's communication of (date) and to state that [the Government concerned] have noted with satisfaction that the Government of the Federal Republic of Germany/the Italian Government undertake to declare their acceptance of the compulsory jurisdiction of the International Court of Justice in accordance with Article X (formerly Article VIII) of the Brussels Treaty, having made known to the High Contracting Parties the reservations accompanying their acceptance.

I confirm that [the Government concerned] interpret paragraph 5 of Article X (formerly Article VIII) of the Treaty as stated in the third paragraph of Your Excellency's communication.

[In the reply to the Federal Government's letter only]

With regard to the fourth and fifth paragraphs of Your Excellency's communication, [the Government concerned] are in agreement with the proposal of the Federal Government that the High Contracting Parties should discuss at once the question of establishing an appro-

prate procedure for the settlement of the possible disputes to which the Federal Government draw attention.

[In the reply to both Governments]

They also agree to consider this exchange of letters as an Annex to the Protocol modifying and completing the Brussels Treaty within the meaning of Article IV, paragraph 1 of the said Protocol.

TREATY OF ECONOMIC, SOCIAL AND CULTURAL
COLLABORATION AND COLLECTIVE SELF-DEFENCE
(BRUSSELS TREATY) BETWEEN GREAT BRITAIN AND
NORTHERN IRELAND, BELGIUM, FRANCE, LUXEM-
BOURG, AND THE NETHERLANDS

BRUSSELS, 17th March, 1948

His Royal Highness the Prince Regent of Belgium, the President of the French Republic, President of the French Union, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, and His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas,

Resolved

To reaffirm their faith in fundamental human rights, in the dignity and worth of the human person and in the other ideals proclaimed in the Charter of the United Nations;

To fortify and preserve the principles of democracy, personal freedom and political liberty, the constitutional traditions and the rule of law, which are their common heritage;

To strengthen, with these aims in view, the economic, social and cultural ties by which they are already united;

To co-operate loyally and to co-ordinate their efforts to create in Western Europe a firm basis for European economic recovery;

To afford assistance to each other, in accordance with the Charter of the United Nations, in maintaining international peace and security and in resisting any policy of aggression;

To take such steps as may be held to be necessary in the event of a renewal by Germany of a policy of aggression;

To associate progressively in the pursuance of these aims other States inspired by the same ideals and animated by the like determination;

Desiring for these purposes to conclude a treaty for collaboration in economic, social and cultural matters and for collective self-defence;

Have appointed as their Plenipotentiaries:

His Royal Highness the Prince Regent of Belgium

His Excellency Mr. Paul-Henri Spaak, Prime Minister, Minister of Foreign Affairs, and

His Excellency Mr. Gaston Eyskens, Minister of Finance,
The President of the French Republic, President of the French Union

His Excellency Mr. Georges Bidault, Minister of Foreign Affairs, and

His Excellency Mr. Jean de Hauteclocque, Ambassador
Extraordinary and Plenipotentiary of the French Re-
public in Brussels,
Her Royal Highness the Grand Duchess of Luxembourg
His Excellency Mr. Joseph Bech, Minister of Foreign Affairs,
and
His Excellency Mr. Robert Als, Envoy Extraordinary and
Minister Plenipotentiary of Luxembourg in Brussels,
Her Majesty the Queen of the Netherlands
His Excellency Baron C. G. W. H. van Boetzelaer van
Oosterhout, Minister of Foreign Affairs, and
His Excellency Baron Binnert Philip van Harinxma thoe
Slooten, Ambassador Extraordinary and Plenipotentiary
of the Netherlands in Brussels,
His Majesty the King of Great Britain, Ireland and the British
Dominions beyond the Seas for the United Kingdom of Great
Britain and Northern Ireland
The Right Honourable Ernest Bevin, Member of Parlia-
ment, Principal Secretary of State for Foreign Affairs,
and
His Excellency Sir George William Rendel, K. C. M. G.,
Ambassador Extraordinary and Plenipotentiary of His
Britannic Majesty in Brussels,
who, having exhibited their full powers found in good and due form,
have agreed as follows:

ARTICLE I

Convinced of the close community of their interests and of the necessity of uniting in order to promote the economic recovery of Europe, the High Contracting Parties will so organize and coordinate their economic activities as to produce the best possible results, by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges.

The co-operation provided for in the preceding paragraph, which will be effected through the Consultative Council referred to in Article VII as well as through other bodies, shall not involve any duplication of, or prejudice to, the work of other economic organizations in which the High Contracting Parties are or may be represented but shall on the contrary assist the work of those organizations.

ARTICLE II

The High Contracting Parties will make every effort in common, both by direct consultation and in specialized agencies, to promote the attainment of a higher standard of living by their peoples and to develop on corresponding lines the social and other related services of their countries.

The High Contracting Parties will consult with the object of achieving the earliest possible application of recommendations of immediate practical interest, relating to social matters, adopted with their approval in the specialized agencies.

They will endeavour to conclude as soon as possible conventions with each other in the sphere of social security.

ARTICLE III

The High Contracting Parties will make every effort in common to lead their peoples towards a better understanding of the principles which form the basis of their common civilization and to promote cultural exchanges by conventions between themselves or by other means.

ARTICLE IV

If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the party so attacked all the military and other aid and assistance in their power.

ARTICLE V

All measures taken as a result of the preceding Article shall be immediately reported to the Security Council. They shall be terminated as soon as the Security Council has taken the measures necessary to maintain or restore international peace and security.

The present Treaty does not prejudice in any way the obligations of the High Contracting Parties under the provisions of the Charter of the United Nations. It shall not be interpreted as affecting in any way the authority and responsibility of the Security Council under the Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

ARTICLE VI

The High Contracting Parties declare, each so far as he is concerned, that none of the international engagements now in force between him and any other of the High Contracting Parties or any third State is in conflict with the provisions of the present Treaty.

None of the High Contracting Parties will conclude any alliance or participate in any coalition directed against any other of the High Contracting Parties.

ARTICLE VII

For the purpose of consulting together on all the questions dealt with in the present Treaty, the High Contracting Parties will create a Consultative Council, which shall be so organized as to be able to exercise its functions continuously. The Council shall meet at such times as it shall deem fit.

At the request of any of the High Contracting Parties, the Council shall be immediately convened in order to permit the High Contracting Parties to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise; with regard to the attitude to be adopted and the steps to be taken in case of a renewal by Germany of an aggressive policy; or with regard to any situation constituting a danger to economic stability.

ARTICLE VIII

In pursuance of their determination to settle disputes only by peaceful means, the High Contracting Parties will apply to disputes between themselves the following provisions:

The High Contracting Parties will, while the present Treaty remains in force, settle all disputes falling within the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice by referring them to the Court, subject only, in the case of each of them, to any reservation already made by that Party when accepting this clause for compulsory jurisdiction to the extent that that Party may maintain the reservation.

In addition, the High Contracting Parties will submit to conciliation all disputes outside the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice.

In the case of a mixed dispute involving both questions for which conciliation is appropriate and other questions for which judicial settlement is appropriate, any Party to the dispute shall have the right to insist that the judicial settlement of the legal questions shall precede conciliation.

The preceding provisions of this Article in no way affect the application of relevant provisions or agreements prescribing some other method of pacific settlement.

ARTICLE IX

The High Contracting Parties may, by agreement, invite any other State to accede to the present Treaty on conditions to be agreed between them and the State so invited.

Any State so invited may become a Party to the Treaty by depositing an instrument of accession with the Belgian Government.

The Belgian Government will inform each of the High Contracting Parties of the deposit of each instrument of accession.

ARTICLE X

The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government.

It shall enter into force on the date of the deposit of the last instrument of ratification and shall thereafter remain in force for fifty years.

After the expiry of the period of fifty years, each of the High Contracting Parties shall have the right to cease to be a party thereto provided that he shall have previously given one year's notice of denunciation to the Belgian Government.

The Belgian Government shall inform the Governments of the other High Contracting Parties of the deposit of each instrument of ratification and of each notice of denunciation.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Brussels, this seventeenth day of March 1948, in English and French, each text being equally authentic, in a single copy which shall remain deposited in the archives of the Belgian Government and

of which certified copies shall be transmitted by that Government to each of the other signatories.

For Belgium:

[L. S.] P. H. SPAAK.
[L. S.] GASTON EYSKENS.

For France:

[L. S.] G. BIDAULT.
[L. S.] J. DE HAUTECLOCQUE.

For Luxembourg:

[L. S.] JOSEPH BECH.
[L. S.] ROBERT ALS.

For the Netherlands:

[L. S.] W. VAN BOETZELAER.
[L. S.] VAN HARINXMA THOE SLOOTEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L. S.] ERNEST BEVIN.
[L. S.] GEORGE RENDEL.

DECLARATION INVITING ITALY AND THE FEDERAL
REPUBLIC OF GERMANY TO ACCEDE TO THE BRUSSELS
TREATY

The Governments of Belgium, France, Luxembourg, the Netherlands and the United Kingdom, Parties to the Brussels Treaty of March the 17th, 1948, for collaboration in economic, social and cultural matters and for legitimate collective self-defence;

Aware that the principles underlying the association created by the Brussels Treaty are also recognised and applied by the Federal Republic of Germany and Italy;

Noting with satisfaction that their devotion to peace and their allegiance to democratic institutions constitute common bonds between the countries of Western Europe;

Convinced that an association with the Federal Republic of Germany and Italy would represent a new and substantial advance in the direction already indicated by the Treaty;

Decide,

in application of Article IX of the Treaty, to invite the Federal Republic of Germany and Italy to accede to this Treaty, as modified and completed in accordance with the decisions of the Conference held in London from September the 28th to October the 3rd 1954, which are recorded in its Final Act.

RESOLUTION ON PRODUCTION AND STANDARDISATION
OF ARMAMENTS

(Adopted by the Nine-Power Conference on 21st October, 1954)

The Governments of the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, and the United Kingdom of Great Britain and Northern Ireland,

Anxious to increase the effectiveness of their common Defence forces to the maximum,

Desirous of ensuring the best possible use of their available armament credits by means of the rational organisation of production,

Noting the importance in this connection of standardising weapons and weapon components,

Desirous of facilitating any agreements to this and between all or certain of the Seven Powers:

(1) Recall the decision taken at the London Conference to set up a Working Party to study the draft directives submitted by the French Government on 1st October 1954 and such other documents as might subsequently be submitted on the problem of the production and standardisation of armaments.

(2) Agree to convene a Working Group in Paris on the 17th January 1955 of the Representatives of Belgium, France, Italy, Luxembourg, the Netherlands, the Federal Republic of Germany and the United Kingdom, to study the draft directives and other documents referred to in the foregoing paragraph, with a view to submitting proposals to the Council of Western European Union when it comes into being.

**DOCUMENTS RELATING TO THE TERMINATION OF THE
OCCUPATION REGIME IN THE FEDERAL REPUBLIC OF
GERMANY**

**CONVENTION ON THE PRESENCE OF FOREIGN FORCES
IN THE FEDERAL REPUBLIC OF GERMANY**

In view of the present international situation and the need to ensure the defence of the free world which require the continuing presence of foreign forces in the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

ARTICLE 1

1. From the entry into force of the arrangements for the German Defence Contribution, forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic.

2. The effective strength of the forces stationed in the Federal Republic pursuant to paragraph 1 of this Article may at any time be increased with the consent of the Government of the Federal Republic of Germany.

3. Additional forces of the States parties to the present Convention may enter and remain in the Federal territory with the consent of the Government of the Federal Republic of Germany for training purposes in accordance with the procedures applicable to forces assigned to the Supreme Allied Commander, Europe, provided that such forces do not remain there for more than thirty days at any one time.

4. The Federal Republic grants to the French, the United Kingdom and the United States forces the right to enter, pass through and depart from the territory of the Federal Republic in transit to or from Austria (so long as their forces continue to be stationed there) or any country Member of the North Atlantic Treaty Organization, on the same basis as is usual between Parties to the North Atlantic Treaty or as may be agreed with effect for all Member States by the North Atlantic Council.

ARTICLE 2

The present Convention shall be open to accession by any State not a Signatory, which had forces stationed in the Federal territory on the date of the signature of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed at Paris on 23 October 1954. Any such State, desiring to accede to the present Convention, may deposit with the Government of the Federal Republic an Instrument of Accession.

ARTICLE 3

1. The present Convention shall expire with the conclusion of a German peace settlement or if at an earlier time the Signatory States agree that the development of the international situation justifies new arrangements.

2. The Signatory States will review the terms of the present Convention at the same time and subject to the same conditions as provided for in Article 10 of the Convention on Relations between the Three Powers and the Federal Republic of Germany.

ARTICLE 4

1. The present Convention shall be ratified or approved by the Signatory States and Instruments of Ratification or Approval shall be deposited by them with the Government of the Federal Republic of Germany which shall notify each Signatory State of the deposit of each Instrument of Ratification or Approval. The present Convention shall enter into force when all the Signatory States have made such deposit and the Instrument of Accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

2. It shall also enter into force on that date as to any acceding State which has previously deposited an Instrument of Accession in accordance with Article 2 of the present Convention and, as to any other acceding State, on the date of the deposit by it of such an Instrument.

3. The present Convention shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each State party to the present Convention with certified copies thereof and of the Instruments of Accession deposited in accordance with Article 2 and will notify each State of the date of the deposit of any Instrument of Accession.

IN FAITH WHEREOF the undersigned Representatives duly authorized thereto have signed the present Convention.

Done at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

/s/ JOHN FOSTER DULLES

For the United Kingdom of Great Britain and Northern Ireland:

/s/ ANTHONY EDEN

For the French Republic:

/s/ P. MENDES-FRANCE

For the Federal Republic of Germany:

/s/ ADENAUER

TRIPARTITE AGREEMENT ON THE EXERCISE OF
RETAINED RIGHTS IN GERMANY

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic agree as follows:

1. The rights retained by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic after the entry into force of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, which are referred to in the Convention on Relations between the Three Powers and the Federal Republic of Germany as amended by the said Protocol, will be exercised by their respective Chiefs of Mission accredited to the Federal Republic of Germany.

2. The Chiefs of Mission will act jointly in the exercise of those rights in the Federal Republic of Germany in matters the Three Powers consider of common concern under the said Protocol and the instruments mentioned in Article 1 thereof.

3. Those rights which relate to Berlin will continue to be exercised in Berlin pursuant to existing procedures, subject to any future modification which may be agreed.

4. This agreement shall enter into force upon the entry into force of the said Protocol.

Done at Paris on the twenty third day of October, Nineteen hundred and fifty-four in two texts, in the English and French languages, both texts being equally authentic.

For the Government of the United States of America:

/s/ JOHN FOSTER DULLES

For the Government of the United Kingdom of Great Britain and Northern Ireland:

/s/ ANTHONY EDEN

For the Government of the French Republic:

/s/ P. MENDES-FRANCE

RELATED LETTERS

I

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Secretary of State
of the United States of America*

MR. MINISTER,

Under the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed at Paris today, provision is made that during the period, if any, between its entry into force and the entry into force of the arrangements for the German Defense Contribution, the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic will retain their existing rights relating to the fields of disarmament and demilitarization, and the controls in those fields will be applied by a Joint Four-Power Commission. I should appreciate it if you would confirm the agreement which we reached at London in this connection that at the end of 1954 the Governments which have signed this Protocol will review this matter in the light of the situation then existing with regard to the entry into force of the Protocol. I should likewise appreciate confirmation of the agreement also reached in this connection at London that, at the same time, the four Governments will review the exercise of the controls with a view to permitting preparation by the Federal Republic for its future defense contribution.

I take this opportunity to assure you, Mr. Minister, of my highest consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French Foreign Ministers.]

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I have the honor to acknowledge the receipt of your letter of today's date, which reads as follows:

"Under the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed at Paris today, provision is made that during the period, if any, between its entry into force and the entry into force of the arrangements for the German Defense Contribution, the United States, the United Kingdom and the French Republic will retain their existing rights relating to the fields of disarmament and demilitarization, and the controls in those fields will be applied by a joint

Four Power Commission. I should appreciate it if you would confirm the agreement which we reached at London in this connection that at the end of 1954 the Governments which have today signed the Protocol will review this matter in the light of the situation then existing with regard to the entry into force of the Protocol. I should likewise appreciate confirmation of the agreement also reached in this connection at London that, at the same time, the four Governments will review the exercise of the controls with a view to permitting preparation by the Federal Republic for its future defense contribution."

I confirm the agreements to which you refer in your letter.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration

/s/ JOHN FOSTER DULLES
Secretary of State
United States of America

II

PARIS, 23 October 1954

HIS EXCELLENCY,
The Chancellor of the
Federal Republic of Germany

MR. CHANCELLOR,

I refer to Article 2 of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany which deals with the rights retained by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic relating to the fields of disarmament and demilitarization.

I have the honor to inform you that the following legislation, including regulations issued thereunder, is the existing legislation in the fields referred to in Article 2:

Allied High Commission Law No. 7—Uniforms and Insignia

Allied High Commission Law No. 16—Elimination of Militarism

Allied High Commission Law No. 22, amended by AHC Law Nos. 53 and 68—Control of Materials, Facilities and Equipment Relating to Atomic Energy

Allied High Commission Law No. 24, amended by AHC Law Nos. 61 and 78—Control of Certain Articles, Products, Installations and Equipment

US Military Government Law No. 23 as amended by AHC Decision No. 12—Control of Scientific Research

British Military Government Law No. 23 as amended by AHC Decision No. 12—Control of Scientific Research

Ordinance No. 231 of the French High Commissioner in Germany, as amended by AHC Decision No. 12—Control of Scientific Research

Control Council Law No. 23—Prohibition of Military Construction in Germany.

The Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany shall not be considered to be an agreement within the meaning of Article 1 of Chapter Twelve of the

PROTOCOLS ON THE FEDERAL REPUBLIC OF GERMANY 95
Convention on the Settlement of Matters Arising out of the War and the Occupation.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT
United States High Commissioner for Germany

III

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Secretary of State
of the United States of America*

MR. MINISTER,

I refer to paragraph 7 of Article 5 of the Convention on Relations between the Federal Republic of Germany and the Three Powers signed at Bonn on 26 May 1952, which provides that, independently of a state of emergency, any military commander may, if his Forces are imminently menaced, take such immediate action appropriate for their protection (including the use of armed force) as is requisite to remove the danger. The Federal Government is of the opinion that this is the inherent right of any military commander according to international law and therefore German law.

I therefore wish to say that the right referred to in paragraph 7 of Article 5 of the Convention on Relations between the Federal Republic of Germany and the Three Powers will not be affected by the deletion of that paragraph as provided by the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany.

I take this opportunity to assure you, Mr. Minister, of my highest consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French Foreign Ministers.]

IV

PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

The Federal Government adheres to the principle that freedom of competition is the most important basis of the policy of "social market economy" which it stands for. It has given expression to this attitude in the draft of a law against restraints of competition. This draft has received the approval in principle of the Bundesrat. The Federal Government has submitted the draft to the first Bundestag; it will submit it again in the near future to the Bundestag for its adoption. The Federal Government has thus shown that it earnestly desires the passing of a law against restraints of competition. It is determined to maintain the anti-cartel policy hitherto pursued by it and to work toward effective and comprehensive protection of freedom of competition by a German law. In this effort, the Federal Government will also oppose all efforts to repeal or modify the Allied legislation which now prohibits restraints of competition and monopolies (United States

Military Government Law No. 56, British Military Government Ordinance No. 78, Ordinance No. 96 of the French Commander-in-Chief in Germany) before the coming into force of a German law containing general provisions against restraints of competition.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany.]

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I have the honor to acknowledge receipt of your letter of today's date stating that the Federal Government will oppose all efforts to repeal or modify the Allied decartelization legislation (United States Military Government Law No. 56, British Military Government Ordinance No. 78, Ordinance No. 96 of the French Commander-in-Chief in Germany) before the coming into force of a German law containing general provisions against restraints of competition.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT

United States High Commissioner for Germany

V

PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

The Federal Government adheres to the principle that the legal position of those persons who, since 8 May 1945, under relaxed requirements established by laws, ordinances, directives or other orders or instructions of the Occupation Authorities, have commenced a trade or a free profession and have continued it up to the present time, should be protected. The Federal Government will oppose all efforts which may tend to impair the legal position which these persons have obtained. Moreover it is the view of the Federal Government that the exercise of such trade or free profession by these persons is already protected under Article 2 of Chapter One of the Convention on the Settlement of Matters Arising out of the War and the Occupation.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany.]

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PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I have the honor to acknowledge receipt of your letter of today's date concerning the legal position of persons engaged in a trade or free profession.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT
United States High Commissioner for Germany

VI

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

In the course of the Four Power Conference in London in October 1954, it was agreed to delete paragraph 5 (a), (b) and (c) of Article 3 of Chapter Three (Internal Restitution) of the Convention on the Settlement of Matters arising out of the War and the Occupation and to make the matters covered by these deleted provisions the subject of an Exchange of Letters.

It is the understanding of the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic that the Government of the Federal Republic of Germany agrees that an official designated by each of the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic for the purpose of reporting to his Government on the progress of the Restitution program, shall be granted reasonable facilities and shall be supplied with all necessary information including Statistics and Reports as heretofore submitted to the aforesaid Governments.

Your confirmation of the above agreement would be appreciated.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT
United States High Commissioner for Germany

PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

I have the honor to acknowledge receipt of your letter of today's date which is worded as follows:

"In the course of the Four Power Conference in London in October, 1954, it was agreed to delete paragraph 5 (a), (b) and (c) of Article 3 of Chapter Three (Internal Restitution) of the Convention on the Settlement of Matters arising out of the War and the Occupation and to make the matters covered by these deleted provisions the subject of an Exchange of Letters.

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"It is the understanding of the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America that the Government of the Federal Republic of Germany agrees that an official designated by each of the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America for the purpose of reporting to his Government on the progress of the Restitution program, shall be granted reasonable facilities and shall be supplied with all necessary information including Statistics and Reports as heretofore submitted to the aforesaid Governments.

"Your confirmation of the above agreement would be appreciated."

I have the honor to assure you of the agreement of the Federal Government to the terms of that letter.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany.]

VII

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

In the course of the Four Power Talks on the Termination of the Occupation Regime it has been agreed to delete paragraph 4 of Chapter Four (Compensation for Victims of Nazi Persecution) of the Convention on the Settlement of Matters arising out of the War and the Occupation on the understanding that the matters dealt with therein would be covered by an Exchange of Letters.

It is understood by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic that the Government of the Federal Republic of Germany agrees that adequate opportunities be afforded to the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic, or their authorized agents, for the observation of all matters dealt with in Chapter Four of the Convention on the Settlement of Matters arising out of the War and the Occupation insofar as non-German nationals or non-residents of the Federal territory are involved. Furthermore, the Governments of the United States, the United Kingdom and the French Republic have noted the assurances which have been given in the course of the negotiations by the representatives of the Government of the Federal Republic and according to which the undertakings which the Federal Republic has contracted under paragraph 4(b) of Chapter Four of the Settlement Convention, insofar as they are not already covered by German law, represent for the Federal Government a natural obligation which it is prepared voluntarily to assume in the future. On the basis of these assurances, the Governments of the United States, the United Kingdom and the

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French Republic have accepted the deletion of the above-mentioned provision.

Your confirmation of the above agreement would be appreciated.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT
United States High Commissioner for Germany

PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

I have the honor to acknowledge receipt of your letter of today's date which is worded as follows:

"In the course of the Four Power Talks on the Termination of the Occupation Regime it has been agreed to delete paragraph 4 of Chapter Four (Compensation for Victims of Nazi Persecution) of the Convention on the Settlement of Matters arising out of the War and the Occupation on the understanding that the matters dealt with therein would be covered by an Exchange of Letters.

"It is understood by the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America that the Government of the Federal Republic of Germany agrees that adequate opportunities be afforded to the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America, or their authorized agents, for the observation of all matters dealt with in Chapter Four of the Convention on the Settlement of Matters arising out of the War and the Occupation in so far as non-German nationals or nonresidents of the Federal territory are involved.

"Furthermore, the Governments of France, the United Kingdom and the United States have noted the assurances which have been given in the course of the negotiations by the representatives of the Government of the Federal Republic and according to which the undertakings which the Federal Republic has contracted under paragraph 4 (b) of Chapter Four of the Convention on the Settlement of Matters arising out of the War and the Occupation, insofar as they are not already covered by German law, represent for the Federal Government a natural obligation which it is prepared voluntarily to assume in the future. On the basis of these assurances, the Governments of France, the United Kingdom and the United States have accepted the deletion of the above-mentioned provision.

"Your confirmation of the above agreement would be appreciated."

I have the honor to assure you of the agreement of the Federal Government to the terms of that letter.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany.]

VIII

PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

With reference to Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation included in Schedule IV of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed at Paris this day, I have the honor to inform you of the agreement of the Government of the Federal Republic of Germany to the following arrangements which have been concerted between representatives of the Government of the Federal Republic, the United Kingdom, the United States and the French Republic.

2. The property referred to in Article 13 of Chapter One of the said Convention comprises:

- (a) (i) Movable and immovable property belonging to the Federal Republic, other than property administered by the German Federal Railways or Federal Post;
- (ii) Movable and immovable property previously owned by the former Reich which, on the entry into force of the said Convention, is subject to the administration of the Federal Republic in accordance with the Law for a Provisional Settlement of the Legal Status of Reich Property and the Prussian Shares of 21 July 1951 (Bundesgesetzblatt Teil I Seite 467) and the Ordinance for the Implementation of Article 6 of that Law of 26 July 1951 (Bundesgesetzblatt Teil I Seite 471), other than property administered by the German Federal Railways or Federal Post;
- (b) Movable and immovable property belonging to the constituent Laender of the Federal Republic of Germany and their political sub-divisions;
- (c) Privately owned movable and immovable property;
- (d) Immovable property the construction of which was financed out of occupation costs or mandatory expenditure funds of the Federal Republic of Germany or its constituent Laender;
- (e) Movable property acquired from occupation costs or mandatory expenditure funds.

3. The property referred to in sub-paragraphs (a), (b), (c) and (d) of the foregoing paragraph shall be determined after hearing the interested parties and taking into account the special needs of the Government of the United States of America during the transitional period, by mutual agreement between representatives to be designated for that purpose by the Government of the Federal Republic of Germany and the Government of the United States of America respectively, and with the co-operation of the Protocol Department of the Federal Foreign Office. Property of the types specified in sub-paragraphs (a), (b), (c) and (d) of the foregoing paragraph which is not included in the determination made pursuant to this paragraph will be released.

4. The Government of the United States of America will endeavour to convert its right of use of the property referred to in sub-paragraphs

(a), (b), (c) and (d) of paragraph 2 above into tenancy arrangements under private law.

With respect to property referred to in sub-paragraph (a) of paragraph 2 the Government of the Federal Republic of Germany will meet the Government of the United States of America to a reasonable extent in agreeing the amount of the rent.

Rents for property referred to in sub-paragraphs (b) and (c) of paragraph 2 shall be based on those usual in the locality for the property concerned. So far as concerns Federal property referred to in sub-paragraph (d) of paragraph 2, for the period of nine months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation, compensation shall be paid only in respect of the use of the land, taking into account, however, public charges and charges for special services or assessments for local improvements payable by the owner of the land in respect of such land. After such period a rent which is reasonable in the circumstances shall be paid for both land and buildings.

The Government of the Federal Republic will place its good offices at the disposal of the Government of the United States of America for the conclusion of tenancy arrangements with respect to property referred to in sub-paragraphs (b) and (c) of paragraph 2.

5. If tenancy agreements pursuant to the foregoing paragraph are not concluded, the Government of the United States of America shall pay compensation for use (*Nutzungsvergütung*) from the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation. The amount of such compensation as well as the amount of compensation to be paid for damage which occurs after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation shall be determined in accordance with the Federal legislation relating to the procurement of goods, services and land for official agencies (*Bundesleistungsgesetzgebung*) which shall also apply to the manner of use of the property. Until the entry into force of this legislation, the hitherto existing basis for the assessment of compensation (*Vergütung*) for the property used, in accordance with Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation and this letter, by the Embassy and Consulate shall continue to operate.

The Government of the Federal Republic of Germany will not demand compensation for wear and tear of its property referred to in sub-paragraphs (a) and (d) of paragraph 2, and the Government of the United States of America will not demand compensation for improvements made by it to such property.

6. The release of property referred to in sub-paragraph (c) of paragraph 2 will be given priority and will be effected at the earliest possible moment and in any case not later than six months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation, unless, in respect of any such property, tenancy arrangements have been concluded in pursuance of paragraph 4.

Property referred to in sub-paragraph (c) of paragraph 2 will be released not later than nine months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation. Its continued use after that date will be the sub-

ject of negotiation between the Government of the Federal Republic of Germany and the Government of the United States of America.

The Government of the United States of America undertakes to release all other property referred to in paragraph 2 at the earliest possible moment and in any case as soon as it becomes surplus to the requirements of the Government of the United States of America with regard to its Embassy and Consulates.

The Government of the Federal Republic will endeavour, by the construction of new buildings, to make available alternative accommodation for rental or purchase by the Government of the United States of America.

7. The personnel of the Embassy and Consulates of the United States of America not possessing German nationality shall be entitled to make use of the facilities of the non-German organizations established by the Forces of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic pursuant to Article 36 of the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany or to similar provisions, if any, in Agreements which may supersede that Convention.

8. Nothing in Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation or in this letter shall be deemed to affect property required by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic for the use of their Armed Forces.

9. I should be grateful if you would confirm the agreement of your Government with the foregoing.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany,]

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I have the honor to acknowledge receipt of your letter of today's date which is worded as follows:

"With reference to Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation included in Schedule IV of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed in Paris this day, I have the honor to inform you of the agreement of the Government of the Federal Republic to the following arrangements which have been concerted between representatives of the Governments of the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic.

2. The property referred to in Article 13 of Chapter One of the said Convention comprises:—

- (a) (i) Movable and immovable property belonging to the Federal Republic, other than property administered by the German Federal Railways or Federal Post;
- (ii) Movable and immovable property previously owned by the former Reich which, on the entry into force of the said Convention, is subject to the administration of the Federal Republic in accordance with the Law for a Provisional Settlement of the Legal Status of Reich Property and the Prussian Shares of 21 July 1951 (Bundesgesetzblatt Teil I Seite 467) and the Ordinance for the Implementation of Article 6 of that law of 26 July 1951 (Bundesgesetzblatt Teil I Seite 471), other than property administered by the German Federal Railways or Federal Post;
- (b) Movable and immovable property belonging to the constituent Laender of the Federal Republic and their political subdivisions;
- (c) Privately owned movable and immovable property;
- (d) Immovable property the construction of which was financed out of occupation costs or mandatory expenditure funds of the Federal Republic or its constituent Laender;
- (e) Movable property acquired from occupation costs or mandatory expenditure funds.

3. The property referred to in sub-paragraphs (a), (b), (c) and (d) of the foregoing paragraph shall be determined after hearing the interested parties and taking into account the special needs of the Government of the United States of America during the transitional period, by mutual agreement between representatives to be designated for that purpose by the Government of the United States of America and the Government of the Federal Republic of Germany respectively, and with the cooperation of the Protocol Department of the Federal Foreign Office. Property of the types specified in sub-paragraphs (a), (b), (c) and (d) of the foregoing paragraph which is not included in the determination made pursuant to this paragraph will be released.

4. The Government of the United States of America will endeavor to convert its right of use of the property referred to in sub-paragraphs (a), (b), (c) and (d) of paragraph 2 above into tenancy arrangements under private law.

With respect to property referred to in sub-paragraph (a) of paragraph 2 the Government of the Federal Republic of Germany will meet the Government of the United States of America to a reasonable extent in agreeing the amount of the rent.

Rents for property referred to in sub-paragraphs (b) and (c) of paragraph 2 shall be based on those usual in the locality for the property concerned. So far as concerns Federal property referred to in sub-paragraph (d) of paragraph 2, for the period of nine months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation, compensation shall be paid only in respect of the use of the land, taking into account, however, public charges and charges for special services or assessments for local improvements payable by the owner of the land in respect of such land. After such period

a rent which is reasonable in the circumstances shall be paid for both land and buildings.

The Government of the Federal Republic of Germany will place its good offices at the disposal of the Government of the United States of America for the conclusion of tenancy arrangements with respect to property referred to in sub-paragraphs (b) and (c) of paragraph 2.

5. If tenancy agreements pursuant to the foregoing paragraph are not concluded, the Government of the United States of America shall pay compensation for use (*Nutzungsvergütung*) from the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation. The amount of such compensation as well as the amount of compensation to be paid for damage which occurs after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation shall be determined in accordance with the Federal legislation relating to the procurement of goods, services and land for official agencies (*Bundesleistungsgesetzgebung*) which shall also apply to the manner of use of the property. Until the entry into force of this legislation, the hitherto existing basis for the assessment of compensation (*Vergütung*) for the property used, in accordance with Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation and this letter, by the Embassy and Consulates shall continue to operate.

The Government of the Federal Republic of Germany will not demand compensation for wear and tear of its property referred to in sub-paragraphs (a) and (d) of paragraph 2, and the Government of the United States of America will not demand compensation for improvements made by it to such property.

6. The release of property referred to in sub-paragraph (c) of paragraph 2 will be given priority and will be effected at the earliest possible moment and in any case not later than six months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation, unless, in respect of any such property, tenancy arrangements have been concluded in pursuance of paragraph 4.

Property referred to in sub-paragraph (e) of paragraph 2 will be released not later than nine months after the entry into force of the Convention on the Settlement of Matters arising out of the War and the Occupation. Its continued use after that date will be the subject of negotiation between the Government of the Federal Republic of Germany and the Government of the United States of America.

The Government of the United States of America undertakes to release all other property referred to in paragraph 2 at the earliest possible moment and in any case as soon as it becomes surplus to the requirements of the Government of the United States of America with regard to its Embassy and Consulates.

The Government of the Federal Republic of Germany will endeavor, by the construction of new buildings, to make available alternative accommodation for rental or purchase by the Government of the United States of America.

7. The personnel of the Embassy and Consulates of the United States of America not possessing German nationality shall be

entitled to make use of the facilities of the non-German organizations established by the Forces of the United States, the United Kingdom and the French Republic pursuant to Article 36 of the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany or to similar provisions, if any, in Agreements which supersede that Convention.

8. Nothing in Article 13 of Chapter One of the Convention on the Settlement of Matters arising out of the War and the Occupation or in this letter shall be deemed to affect property required by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic for the use of their Armed Forces.

9. I should be grateful if you would confirm the agreement of your Government with the foregoing."

I have the honor to inform you that my Government accepts the understandings set out in your letter.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT
United States High Commissioner for Germany

IX

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I refer to Article 5 of Chapter Twelve of the Convention on the Settlement of Matters arising out of the War and the Occupation referred to in the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed in Paris this day and wish to state on behalf of the Government of the United States of America, in agreement with the Governments of the United Kingdom of Great Britain and Northern Ireland and the French Republic, that, in the exercise of the responsibilities under the said Article, an application for authorization of air traffic to and from the Berlin air corridors by aircraft of Powers other than the United States, the United Kingdom, the French Republic and the Union of Soviet Socialist Republics will be approved only after notification by the Federal Government to the representatives of the United States, the United Kingdom and the French Republic that the Federal Government is willing to grant the right to overfly the Federal territory.

I understand that a permit for the overflight of the Federal territory on these flights will be issued to the applicant only after notification to the Federal Government by the representatives of the United States, the United Kingdom and the French Republic that they are willing to approve the application for authorization of air traffic to and from the Berlin air corridors.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JAMES B. CONANT,
United States High Commissioner for Germany

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PARIS, 23 October 1954

HIS EXCELLENCY,
The United States High Commissioner

MR. AMBASSADOR,

I have the honor to acknowledge receipt of your letter of today's date relating to Article 5 of Chapter Twelve of the Convention on the Settlement of Matters arising out of the War and the Occupation, and to inform you that I agree with its contents.

I take this opportunity to renew to you, Mr. Ambassador, the assurance of my high consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French High Commissioners for Germany]

X

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Secretary of State
of the United States of America*

MR. MINISTER,

In the course of negotiation of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany signed today, note was taken of various letters exchanged in May, 1952, in connection with the signing of the Convention on Relations between the Federal Republic of Germany and the Three Powers and the related Conventions. The texts of these letters are set out in the Federal Republic's Official Gazette (Bundesgesetzblatt) 1954, Part II, Number 3, pages 242 to 320 inclusive.

In the name of the Government of the Federal Republic of Germany I have the honor to inform you that the Federal Republic for its part confirms the assurances given and the obligations undertaken in these letters except that it considers that the letters Nos. 3, 5, 13, 14, 15 and 19 are no longer applicable, and that those letters described in the schedule attached to this letter shall be considered to have been amended in accordance with the terms of that schedule. I shall be grateful if you would inform me whether the Government of the United States of America for its part confirms the assurances given and the obligations undertaken by it in these letters.

Schedule of Amendments

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
No. 1, paragraph 3	Page 242	Substitute: "For this reason they have decided to exercise their right relating to Berlin in such a way as to facilitate the carrying out by the Federal Republic of its Declaration on Aid to Berlin, of which a copy is annexed, and to permit the

Schedule of Amendments—Continued

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
No. 1, paragraph 3	Page 242	<p>Substitute—Continued</p> <p>Federal authorities to ensure representation of Berlin and of the Berlin population outside Berlin.”</p> <p>Annex the following:</p> <p><i>“Declaration of the Federal Republic on Aid to Berlin</i></p> <p>“In view of the special role which Berlin has played and is destined to play in the future for the self-preservation of the free world,</p> <p>“aware of the ties connecting the Federal Republic with Berlin as the prospective capital of a free, reunified Germany,</p> <p>resolved to consolidate these ties within the framework of the status of Berlin,</p> <p>resolved to continue its aid to the political, cultural, economic and financial reconstruction of Berlin, and</p> <p>motivated by the desire to strengthen and to reinforce the position of Berlin in all fields, and in particular to bring about in so far as possible an improvement in the economic and financial situation in Berlin including its productive capacity and level of employment,</p> <p>the Federal Republic undertakes</p> <ul style="list-style-type: none">(a) to take all necessary measures on its part in order to ensure the maintenance of a balanced budget in Berlin through appropriate assistance;(b) to take adequate measures for the equitable treatment of Berlin in the control and allocation of materials in short supply;(c) to take adequate measures to ensure that Berlin also benefits from resources at the disposal of the Federal Republic received from outside sources, for the necessary further economic reconstruction of Berlin;

Schedule of Amendments—Continued

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
No. 1 paragraph 3	Page 242	Annex the following—Continued
		<ul style="list-style-type: none"> (d) to take all appropriate measures designed to promote the placing of public and private orders in the Berlin economy; (e) to promote the development of Berlin's external trade, to accord Berlin such favored treatment in all matters of trade policy as circumstances warrant and to provide Berlin within the limit of possibility and in consideration of the participation of Berlin in the foreign currency control by the Federal Republic, with the necessary foreign currency; (f) to take all necessary measures on its part to ensure that the city remains in the currency area of the Deutsche Mark West, and that an adequate money supply is maintained in the city; (g) to assist in the maintaining in Berlin of adequate stock-piles of supplies for emergencies; (h) to use its best efforts for the maintenance and improvement of trade and of communications and transportation facilities between Berlin and the Federal territory, and to cooperate in accordance with the means at its disposal in their protection or their re-establishment; (i) to continue its efforts to compensate, as heretofore, the disproportionate burden placed on Berlin as a result of the admission of refugees; (j) to ensure the representation of Berlin and of the Berlin population outside Berlin, and to facilitate the inclusion of Berlin in the international

Schedule of Amendments—Continued

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
No. 1 paragraph 3	Page 242	Annex the following—Continued agreements concluded by the Federal Republic, provided that this is not precluded by the nature of the agreements concerned. (signed) ADENAUER”
No. 2, para- graph 1.	Page 244	Delete the words “sub-paragraph (c) of paragraph 1 of”.
No. 9, second sentence.	Page 252	Delete the words “Law No. 23”.
No. 11, first sentence.	Page 308	Insert after “1947” the words “or such provisions as may replace them”.

I take this opportunity to assure you, Mr. Minister, of my highest consideration.

/s/ ADENAUER

[Similar letters were sent to the United Kingdom and French Foreign Ministers.]

PARIS, 23 October 1954

HIS EXCELLENCY,
*The Chancellor of the
Federal Republic of Germany*

MR. CHANCELLOR,

I have the honor to acknowledge receipt of your letter of today's date in which you, in the name of the Government of the Federal Republic of Germany, confirm the assurances given and the obligations undertaken by the Federal Republic in the various letters referred to in your letter.

On behalf of the Government of the United States of America I confirm the assurances given and the obligations undertaken by that Government in the letters which you mention, subject to the amendments listed in the Schedule to your letter and with the understanding that letters Nos. 3, 5, 13, 14, 15 and 19 are no longer applicable.

I am also glad to confirm the declaration made on May 25, 1952 concerning reparations which appears at page 316 of the issue of the Federal Government's Official Gazette mentioned in your letter.

Accept, Mr. Chancellor, the renewed assurances of my highest consideration.

/s/ JOHN FOSTER DULLES,
*Secretary of State
United States of America*

Enclosure: Schedule of Amendments

Schedule of Amendments

<i>Letter No.</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
1, paragraph 3	Page 242	<p>Substitute:</p> <p>"For this reason they have decided to exercise their right relating to Berlin in such a way as to facilitate the carrying out by the Federal Republic of its Declaration on aid to Berlin, of which a copy is annexed, and to permit the Federal authorities to ensure representation of Berlin and of the Berlin population outside Berlin."</p> <p>Annex the following:—</p> <p><i>Declaration of the Federal Republic on Aid to Berlin</i></p> <p>In view of the special role which Berlin has played and is destined to play in the future for the self preservation of the free world,</p> <p>aware of the ties connecting the Federal Republic with Berlin as the prospective capital of a free, reunified, Germany,</p> <p>resolved to consolidate these ties within the framework of the status of Berlin,</p> <p>resolved to continue its aid to the political, cultural, economic and financial reconstruction of Berlin, and</p> <p>motivated by the desire to strengthen and to reinforce the position of Berlin in all fields, and in particular to bring about in so far as possible an improvement in the economic and financial situation in Berlin including its productive capacity and level of employment,</p> <p>the Federal Republic undertakes</p> <ol style="list-style-type: none">(a) to take all necessary measures on its part in order to ensure the maintenance of a balanced budget in Berlin through appropriate assistance;(b) to take adequate measures for the equitable treatment of Berlin in the control and allocation of materials in short supply;

Schedule of Amendments—Continued

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
1, paragraph 3	Page 242	<p>Annex the following—Continued</p> <ul style="list-style-type: none"> (c) to take adequate measures to ensure that Berlin also benefits from resources at the disposal of the Federal Republic received from outside sources, for the necessary further economic reconstruction of Berlin; (d) to take all appropriate measures designed to promote the placing of public and private orders in the Berlin economy; (e) to promote the development of Berlin's external trade, to accord Berlin such favored treatment in all matters of trade policy as circumstances warrant and to provide Berlin within the limit of possibility and in consideration of the participation of Berlin in the foreign currency control by the Federal Republic, with the necessary foreign currency; (f) to take all necessary measures on its part to ensure that the city remains in the currency area of the Deutsche Mark West, and that an adequate money supply is maintained in the city; (g) to assist in the maintaining in Berlin of adequate stockpiles of supplies for emergencies; (h) to use its best efforts for the maintenance and improvement of trade and of communications and transportation facilities between Berlin and the Federal territory, and to cooperate in accordance with the means at its disposal in their protection or their re-establishment; (i) to continue its efforts to compensate, as heretofore, the

Schedule of Amendments—Continued

<i>Letter</i>	<i>Bundes- gesetz- blatt 1954 Teil II Nr. 3</i>	<i>Amendments</i>
1, paragraph 3	Page 242	Annex the following—Continued disproportionate burden placed on Berlin as a result of the admission of refugees; (j) to ensure the representation of Berlin and of the Berlin popu- lation outside Berlin, and to facilitate the inclusion of Berlin in the international agreements concluded by the Federal Republic, provided that this is not precluded by the nature of the agreements concerned.
2, paragraph----	Page 244	Delete the words "sub-paragraph (c) of paragraph 1 of".
9, second sen- tence.	Page 252	Delete "Law No. 23".
11, first sen- tence.	Page 308	Insert after "1947" the words "or such provisions as may replace them".

TEXTS OF LETTERS EXCHANGED IN MAY 1952 IN CONNECTION WITH THE SIGNING OF THE CONVENTION ON RELATIONS BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE THREE POWERS AND THE RELATED CONVENTIONS ¹

1

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Mr. CHANCELLOR:

As we have already advised you during our discussions on the Conventions between the Three Powers and the Federal Republic which have been signed today, the reservation made on 12 May 1949 by the Military Governors concerning Articles 23 and 144 (2) of the Basic Law will, owing to the international situation, be formally maintained by the Three Powers in the exercise of their right relating to Berlin after the entry into force of those Conventions.

The Three Powers wish to state in this connection that they are nonetheless conscious of the necessity for the Federal Republic to furnish aid to Berlin and of the advantages involved in the adoption by Berlin of policies similar to those of the Federation.

For this reason they have decided to exercise their right relating to Berlin in such a way as to facilitate the carrying out by the Federal Republic of its declaration attached to the Convention on Relations between the Three Powers and the Federal Republic and to permit the Federal authorities to ensure representation of Berlin and of the Berlin population outside Berlin.

Similarly, they will have no objections if, in accordance with an appropriate procedure authorized by the Allied Kommandatura, Berlin adopts the same legislation as that of the Federal Republic, in particular regarding currency, credit and foreign exchange, nationality, passports, emigration and immigration, extradition, the unification of the customs and trade area, trade and navigation agreements, freedom of movement of goods, and foreign trade and payments arrangements.

In view of the declaration of the Federal Republic concerning material aid to Berlin and the charge on the Federal budget of the occupation costs of the Three Powers in Berlin in accordance with the provisions of existing legislation, the Three Powers will be prepared to consult with the Federal Government prior to their establishment of their Berlin occupation cost budgets. It is their intention to fix

¹ Letters bear the same numbers as set forth in the Federal Republic's Official Gazette (Bundesgesetzblatt) 1954, Part II, Number 3, pages 242 to 320 inclusive.

such costs at the lowest level consistent with maintaining the security of Berlin and of the Allied Forces located there.

For the Government of the United States of America:

/s/ JOHN J. McCLOY

U. S. High Commissioner for Germany

For the Government of the Republic of France:

/s/ A. FRANCOIS-PONCET

French High Commissioner for Germany

For the Government of the United Kingdom of Great Britain and Northern Ireland:

/s/ IVONE KIRKPATRICK

U. K. High Commissioner for Germany

2

26 MAY 1952

His Excellency,

The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY.

Mr. CHANCELLOR

In the course of our recent conversations you asked us to confirm that the right relating to Germany as a whole reserved by the Three Powers in Sub-paragraph (c) of paragraph 1A of the Convention on Relations between the Three Powers and the Federal Republic of Germany cannot be interpreted as permitting them to affect adversely the relations established between themselves and the Federal Republic by the Conventions signed today.

We have the honor to inform you that our Governments do not interpret the right in question as permitting the Three Powers to derogate from their undertakings to the Federal Republic in the Conventions signed today.

For the Government of the United States of America

/s/ JOHN J. McCLOY

U. S. High Commissioner for Germany

For the Government of the Republic of France

/s/ A. FRANCOIS-PONCET

French High Commissioner for Germany

For the Government of the United Kingdom of Great Britain and Northern Ireland

/s/ IVONE KIRKPATRICK

U. K. High Commissioner for Germany

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
MR. CHANCELLOR,

During the discussions on the Conventions which have been signed today, you have raised the question whether certain provisions of these Conventions might be put into effect before the time provided for in the Conventions themselves.

We wish to inform you that when the Conventions have been ratified by all the parties to them our Governments will be prepared if there is any undue delay on the part of other powers in ratifying the Treaty on the Establishment of the European Defence Community to hold a meeting with the Federal Government to consider the situation, and to determine whether arrangements may be made to put certain provisions contained in the Conventions into effect prior to the entry into force of the Conventions.

DEAN ACHESON

Secretary of State United States of America

ROBERT SCHUMAN

Foreign Minister of the Republic of France

ANTHONY EDEN

Her Britannic Majesty's Principal Secretary of State for Foreign Affairs

OFFICE OF THE UNITED STATES

HIGH COMMISSIONER FOR GERMANY

Bad Godesberg

Mehlemmer Aue

[MAY 26, 1952]

Mr. FRITZ SCHAEFFER
Minister for Finance for the Federal Republic of Germany
118 Rheindorfer Strasse
Bonn

DEAR MINISTER SCHAEFFER,

Concerning the privileges to be extended to the banks which serve the Forces under paragraph 2 (a) of Article 36 of the "Convention Concerning the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany":

The privileges to be extended to these banks as organizations will be limited to those set forth in paragraph 5 of Article 36 of the Convention except that the banks will also be assimilated to the Forces with respect to income profits and property taxes as set forth in Article 4 of the Special Agreement referred to in Article 33 of this Convention.

So far as employees of the banks are concerned they will only be assimilated to members of the Forces to this extent:

(a) retaining criminal jurisdiction over them in respect to crimes against the United States or United States property arising out of their duties with the banks;

(b) the provision of accommodation where private rental is not practicable (the cost of which otherwise comes from the United States Treasury);

(c) the privilege to possess and use scrip; and

(d) enjoyment of the tax exemptions granted members of the Forces, so far as the employees perform functions which otherwise would be performed by military fiscal agents of the United States.

Please accept, Sir, the renewed assurance of my high esteem

JOHN J. McCLOY

United States High Commissioner for Germany

5a

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY,
Palais Schaumburg,
141 Koblenzerstrasse, Bonn.

Mr. CHANCELLOR:

I refer to the provisions of paragraphs 3 and 5 of Article 4 of the Finance Convention and to say that the three High Commissioners consider it desirable to state that their understanding of these provisions is as follows:

Amounts due under payment documents issued before the entry into force of the Finance Convention will not be charged to the amounts specified in paragraph 3 of Article 4 of the Convention unless at the date of its entry into force the goods or services covered by such payment documents have not actually been delivered or rendered.

In this connection the three High Commissioners wish to reaffirm the statement made in their letter of 10 May 1952 (AGSEC (52) 430) with regard to anticipatory payments made prior to 31 March 1952, which statement conforms to the principle of the understanding stated above.

I shall be glad if you will confirm this understanding.

I beg Your Excellency to accept the renewed assurance of my highest consideration.

/s/ John J. McCloy
JOHN J. McCLOY
Chairman.

5b

[Translation]

FEDERAL REPUBLIC OF GERMANY
THE FEDERAL CHANCELLOR
Bonn, May 26, 1952

To the Chairman of the Council
of the Allied High Commission for Germany
His Excellency, Mr. JOHN J. McCLOY
Mehlem

Mr. HIGH COMMISSIONER,

I am honored to acknowledge the receipt of your letter of May 26, 1952—AGSEC (52) 487—which reads as follows:

"I refer to the provisions of paragraphs 3 and 5 of Article 4 of the Finance Convention and to say that the three High Commissioners consider it desirable to state that their understanding of these provisions is as follows:

Amounts due under payment documents issued before the entry into force of the Finance Convention will not be charged to the amounts specified in paragraph 3 of Article 4 of the Convention unless at the date of its entry into force the goods or services covered by such payment documents have not actually been delivered or rendered.

In this connection the three High Commissioners wish to reaffirm the statement made in their letter of 10 May 1952 (AGSEC (52) 430) with regard to anticipatory payments made prior to 31 March 1952, which statement conforms to the principle of the understanding stated above.

I shall be glad if you will confirm this understanding."

I avail myself of this opportunity, Mr. High Commissioner, to renew the assurances of my highest consideration.

Signed: ADENAUER

6a

26 MAY 1952

His Excellency
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY,
Palais Schaumburg,
141 Koblenzerstrasse, Bonn.

Mr. CHANCELLOR:

I refer to paragraph 2 of Article 6 of the Finance Convention which provides that the appropriate German authorities shall, after presentation to them of a payment authorization issued by the Forces, effect the payment in the amount shown in the payment authorization. It is agreed to be in the interest of all concerned that payment shall be made as early as possible.

Accordingly, I understand it has been agreed that the appropriate German authorities will deal with such payments as follows:

1. Except as provided in paragraph 3, payment shall be made within fifteen days after presentation of the payment authorization.

2. Payment of wages and salaries shall be effected within one week after presentation of the payment authorization.

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3. In exceptional cases the payment period referred to in paragraph 1 may be exceeded if the appropriate authorities of the Forces do not object. The German authorities will give prior notice to the authorities of the Forces of the necessity for such an extension of the period and the reasons therefor.

I would appreciate your confirmation of this understanding.

I beg Your Excellency to accept the renewed assurance of my highest consideration.

/s/ John J. McCloy
JOHN J. McCLOY
Chairman

6b

[Translation]

FEDERAL REPUBLIC OF GERMANY
THE FEDERAL CHANCELLOR
Bonn, May 26, 1952

To the Chairman of the Council
of the Allied High Commission for Germany
His Excellency, Mr. JOHN J. McCLOY
Mehlem

Mr. HIGH COMMISSIONER:

I am honored to acknowledge the receipt of your letter of this date, in which you refer to Article 6, Paragraph 2 of the Finance Convention. I am in agreement with the contents of your letter.

I avail myself of the opportunity, Mr. High Commissioner, to renew the assurances of my highest consideration.

ADENAUER.

7a

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY,
Palais Schaumburg,
141 Koblenzerstrasse, Bonn.

Mr. CHANCELLOR:

I refer to paragraph 1 of Article 10 of the Finance Convention which provides that payments by the Federal Republic in satisfaction of any claims referred to in Article 3 of Chapter Nine of the Convention on the Settlement of Matters arising out of the War and the Occupation may be charged to the funds for the support of the Forces only to the extent agreed between the Federal Republic and the Powers concerned.

I wish to say that the Three Powers agree that payments made by the Federal Republic, in accordance with paragraph 3 of Article 3 of Chapter Nine of the Convention on the Settlement of Matters arising out of the War and the Occupation, upon claims under Allied High Commission Law No. 47 for occupation damage suffered within three months before the date of entry into force of the Finance Convention, may be charged to the funds for the support of the Forces in accordance with Article 6 of the Finance Convention.

PROTOCOLS ON THE FEDERAL REPUBLIC OF GERMANY 119

Furthermore, in accordance with our understanding of 21 May 1952, I wish to say that the Three Powers agree to charge to the funds for the support of the Forces any amounts expended as occupation costs and mandatory expenditures against payment documents issued by the Occupation Forces and Authorities between 1 April 1952 and 1 November 1952, to the extent that such amounts exceed a monthly average of DM 600 million.

The agreements expressed above are based upon the assumption that the Finance Convention will not enter into force before 1 November 1952, and it is agreed that, if the Convention should enter into force before that date, it will be necessary to reconsider both of the above agreements.

I would appreciate your confirmation of the above agreement.

I beg Your Excellency to accept the renewed assurance of my highest consideration.

/s/ John J. McCloy
JOHN J. McCLOY
Chairman

7b

[Translation]

FEDERAL REPUBLIC OF GERMANY,
THE FEDERAL CHANCELLOR
Bonn, May 26, 1952

To the Chairman of the Council
of the Allied High Commission for Germany
His Excellency, Mr. JOHN J. McCLOY
Mehlem.

Mr. HIGH COMMISSIONER,

I am honored to acknowledge the receipt of your letter of this date concerning claims arising from occupation damages and to inform you, that I am in agreement with its contents.

I avail myself of this opportunity, to renew, Mr. High Commissioner, the assurances of my highest consideration.

Signed: ADENAUER

8a

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Mr. CHANCELLOR,

The Three Powers advise you that, in the exercise of their rights relating to Berlin and to Germany as a whole, including the unification of Germany and a peace settlement, referred to in Article 2 of the Convention on Relations between the Three Powers and the Federal Republic of Germany, they will require that the following legislation of the Control Council be not deprived of effect in the Federal territory by the Federal Republic: Proclamation No. 1 and Directives Nos. 1, 2, 4-7, 11-13, 17, 20, 21, 34, 36, 42, 43, 49, 51 and 53.

Nothing in this letter is intended to or shall be construed as modifying in any way the new relations between the Three Powers and the Federal Republic established by the Convention on Relations between

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the Three Powers and the Federal Republic of Germany and the related Conventions.

/s/ DEAN ACHESON
Secretary of State, United States of America

/s/ ROBERT SCHUMAN
Foreign Minister of the Republic of France

/s/ ANTHONY EDEN
*Her Britannic Majesty's Principal Secretary of State
for Foreign Affairs*

8b

[Translation]

MAY 26, 1952

To: Foreign Ministers [US/UK/France]

I acknowledge receipt of your letter of 26 May 1952. The Federal Government notes that, in the opinion of the Three Powers, the maintenance of the Control Council Provisions listed in that letter is necessary in connection with their rights relating to Berlin and to Germany as a whole. The Federal Government is of the opinion that these provisions for the most part represent provisions of internal procedure of the Control Council which cannot be the subject of German legislative authority and which, therefore, cannot be deprived of effect by German legislative bodies. The Federal Government recognizes that the remainder of these provisions, which relate to interzonal traffic, fall within the right of the Three Powers relating to Berlin and to Germany as a whole.

/s/ ADENAUER

9

ALLIED HIGH COMMISSION FOR GERMANY

The Council

Bonn-Petersberg

23 May 1952
AGSEC (52) 476

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Mr. CHANCELLOR:

In the course of negotiation of the Convention on the Settlement of Matters Arising out of the War and the Occupation, the Federal Government has requested the Allied High Commission to deprive of effect in the territory of the Federal Republic certain legislation of the Control Council, I have the honor to inform you that the Council of the Allied High Commission, after consideration of this request, has decided that it will deprive of effect in the Federal territory, with effect from the date of coming into force of the Convention on Rela-

tions between the Three Powers and the Federal Republic of Germany and the Related Conventions, the following legislation of the Control Council: Proclamation No. 2, Law No. 23, Law No. 25, and Articles III, IV and V of Law No. 10.

I beg Your Excellency to accept the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

10a

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Mr. CHANCELLOR,

In the Convention on the Settlement of Matters Arising Out of the War and the Occupation, a provision is included in paragraph 2 of Article 2, Chapter One, to the effect that all rights and obligations arising under certain treaties and international agreements concluded on behalf of one or more of the three Western Zones of Occupation by the Occupation authorities, or by one or more of the Governments of the Three Powers, are and shall remain valid as though they had arisen under effective treaties and international agreements concluded by the Federal Republic. The provision in question makes reference to a list of such treaties and international agreements to be transmitted to you with a communication from the High Commissioners on behalf of their Governments.

This letter and the list enclosed with it (which has been agreed upon by your representatives and the representatives of the Three Powers) are intended to be the communication and list referred to in the above-mentioned provision of the Convention on the Settlement of Matters Arising Out of the War and the Occupation. We should be grateful if you would confirm your acceptance of this letter and the enclosed list as constituting the communication and list referred to in the Convention.

For the Government of the United States of America

JOHN J. McCLOY
U. S. High Commissioner for Germany

For the Government of the Republic of France

ANDRÉ FRANÇOIS-PONCET
French High Commissioner for Germany

For the Government of the United Kingdom of Great Britain and Northern Ireland

IVONE KIRKPATRICK
U. K. High Commissioner for Germany

10b

TECHNICAL AGREEMENTS OR UNDERSTANDINGS IN
THE NATURE OF AGREEMENTS WITH FOREIGN COUN-
TRIES, TERRITORIES OR POSSESSIONS AND WITH
CERTAIN INTERNATIONAL ORGANIZATIONS MADE ON
BEHALF OF ONE OR MORE OF THE WESTERN ZONES
OF GERMANY BY ONE OR MORE OF THE THREE WEST-
ERN OCCUPYING POWERS.

(This list is subdivided to show, as far as can be determined, those treaties and agreements still in force (Part I) and those out of force (Part II). However, the appearance of a particular treaty in either of these categories is not to be construed as conclusive evidence of its actual status.)

PART I—AGREEMENTS STILL IN FORCE

AUSTRIA

Fuel and Power

1. Agreement by the US/UK Military Governments and Austria providing for diversion of the Rissbrock and other small streams in Austrian Tyrol.

June 29, 1948

Ratified by the Bipartite Control office.

August 25, 1948

Travel Control

1. Frontalier agreement between French Zones of Germany and Austria.

February 1, 1948 (Bregenz)

Amended February 2, 1950 (Lindau)

2. Frontalier Agreement between US Zone of Germany and US/French Zones of Austria.

May 15, 1949

3. Kleines Walsertal Jungholz agreement between the CTB and Austria. Control of traffic between the Austrian enclaves and Austria.

July 26, 1950

Reaffirmation of an Agreement of 1890.

4. Agreement concerning Danube traffic between the Allied authorities in Austria and the Danube River Field Organization, IWT Division, Bipartite Control Office, at Frankfurt and Ratisbourne.

Concerns the movement of persons engaged in work on the Danube, applicable to boatmen from Austria and Yugoslavia.

May 1, 1949

5. Agreement in respect of Zugspitze-Garmisch. This agreement was reached by the CTB, German and Austrian authorities to facilitate short term frontalier excursion traffic between Garmisch and Zugspitze via Griesen (the crossing point in each direction).

Still in force.

All necessary instructions for control of travellers were issued locally to the German authorities in May 1950.

BELGIUM

Transport

1. Rolling stock restitution and exchange Agreements between the Allied High Commission and Belgium dated April 5, 1950, and March 21, 1951.

Trade and Payments

1. Protocol between the Belgo-Luxembourg Economic Union and the Military Governments for Germany (US/UK) covering trade and payments between the Belgo-Luxembourg Economic Union, including the Belgian Congo and the US/UK Occupied Areas of Germany, negotiated on June 11, 1948, and ratified by the Governments concerned on August 6, 1948.

2. Third Additional Trade Protocol to the Trade Agreement between the Belgo-Luxembourg Economic Union and Military Governments of Germany (US/UK) of August 6, 1948, signed in Frankfurt November 16, 1949, to come into force retroactively as of October 1949.

Posts and Telecommunications

1. Postal Agreement between Allied Control Authority and Postal and Telecommunications Administration of Belgium.

Parcels from Germany to prisoners-of-war. August 1, 1947

Travel Control

1. Frontalier Agreement between Belgium and the French Zone of Germany. April 23, 1948 (Koblenz)

2. Frontalier Agreement between Belgium and the British Zone of Germany. March 1, 1949

3. Agreement concerning the delivery of frontalier laissez-passer between Germany and territories turned over to Belgium at the time of rectifications of boundaries. April 14, 1949

War Dead

1. Agreement between US Military Government and the Belgian Ministry of the Interior.

Repatriation of Belgian War Dead. December 6, 1949

IRO and DPs

1. Agreement between US HICOG and Belgium regarding return to Germany of DPs resettled in Belgium. Arranged on January 1, 1951, in Bonn between representatives of DP Division, HICOG, and Belgian Embassy.

BULGARIA

Trade and Payments

1. Payments Agreement dated November 11, 1947, between the Military Governments for Germany (US/UK) and the Government of the People's Republic of Bulgaria.

2. Protocol to extend and amend the Payments Agreement dated November 11, 1947, between the Military Governments of Germany (US/UK) and the People's Republic of Bulgaria, initialled in Frankfurt, August 31, 1949.

3. First Additional Protocol with reference to the Agreement covering trade between the People's Republic of Bulgaria and the US/UK Occupied Areas of Germany, dated October 4, 1947, initialled July 28, 1950, and signed November 7, 1950.

CHINA

Trade and Payments

1. Agreement between the USA and China providing for the application of most favoured nations treatment to areas under occupation and control. July 3, 1948

DENMARK

Trade and Payments

1. Payments Agreement between the Allied High Commission for Germany (US/UK and France) and the Royal Danish Government, initialled in Frankfurt, November 25, 1949.

Travel Control

1. Frontalier agreement between Denmark and the CTB Traffic from South Schleswig to Denmark.

Exchange of letters.

August 5, 1950

ECUADOR

Trade and Payments

1. Payments Agreement between the Government of the Republic of Ecuador and the Allied High Commission for Germany covering trade between Ecuador and the Federal Republic of Germany, signed January 16, 1950.

UNITED STATES

Trade and Payments

1. Economic Cooperation Agreement between US/UK Military Governments and Trieste on the one hand, and the U. S. on the other.

October 15, 1948

2. Economic Cooperation Agreement between the US/UK Military Governments and the U. S. A.

July 14, 1948

3. Economic Cooperation Agreement between the French Military Government and the U. S. A.

July 9, 1948

Posts and Telecommunications

1. Postal Agreement between the US/UK and French Military Governments and the postal and telecommunications administration of the U. S. A.

International Money Order Service (incoming only) for remittances of a personal, family or charitable nature.

January 31, 1949

FRANCE

Transport

1. Rolling stock restitution and exchange agreements between Allied High Commission and France dated February 24, 1950, April 2, 1951, and September 27, 1951.

Posts and Telecommunications

1. Postal Agreement between Allied Control Authority and Postal and Telecommunications Administration of France.

Parcels from Germany to prisoners-of-war.

December 1, 1947

2. Postal Agreement between Allied Control Authority and Postal and Telecommunications Administration of France.

Parcels from prisoners-of-war to Germany.

March 1, 1947

Travel Control

1. Regulations in respect of Frontalier Travel between France and the adjoining German territory.

Decree dated March 6, 1946, from the French Ministry of the Interior, notified for execution to the Prefects of Haut-Rhin, Bas-Rhin and Moselle, promulgated in the French Zone by the French C.i.C.

HUNGARY

Trade and Payments

1. Protocol of the discussions of a Mixed Commission of the Government of the People's Republic of Hungary and the Military Governments of Germany (US, UK and French) initialled November 22, 1950, and signed Budapest, May 29, 1951.

2. Protocol between the Government of the Hungarian Republic and Military Governments for Germany (US/UK) initialled in Frankfurt, August 6, 1948.

Transport

1. Rolling Stock Restitution and Exchange Agreement between AHC and Hungary of January 28, 1952.

IRAN

Trade and Payments

1. Trade Agreement between the Government of the Empire of Iran and the US, UK and French Military Governments of Germany, initialled Frankfurt, May 25, 1949.

2. Payments agreement between the Government of the Empire of Iran and the US, UK and French Military Governments of Germany. Initialled in Frankfurt May 25, 1949, and signed July 1, 1949.

ICELAND

Labour

1. Agreement with Iceland. An agreement for the recruitment of German labour for Iceland concluded between, on the one hand, U. K. Military Government and the Land Government of Schleswig-Holstein and, on the other, the Icelandic Government. May 1949

ITALY

Transport

1. Rolling Stock restitution and exchange agreement between the Allied High Commission and Italy dated March 16, 1950.

War Dead

1. Agreement between US Military Government and the Italian Consulate General.

Repatriation of Italian War Dead. November 7, 1949

LUXEMBOURG

Transport

1. Agreement between the French Military Government and Luxembourg on reconstruction of border bridges dated January 29, 1949.

2. Rolling Stock restitution and exchange agreement between the Allied High Commission and Luxembourg dated May 11, 1950.

Travel Control

1. Agreement concerning fishing and small pleasure craft on boundary rivers between the French Zone and Luxembourg.

April 25, 1947

NORWAY

Trade and Payments

1. Payments Agreement between Military Government for Germany (US, UK and French) and the Royal Norwegian Government, initialled Frankfurt, September 9, 1949.

THE NETHERLANDS

Transport

1. Rolling Stock restitution and exchange agreement between the Allied High Commission and the Netherlands dated August 31, 1950.

Trade and Payments

1. Agreed Minute of trade discussions between a Western German Delegation representing the US, UK and French Military Governments and a Netherlands Delegation, initialled in Frankfurt, September 7, 1949, and a Payments Agreement between the Military Governments for Germany (US, UK and French) and the Government of the Kingdom of the Netherlands, initialled Frankfurt, September 7, 1949.

2. Additional Agreement to the Payments Agreement between the Military Governments for Germany (US, UK and French) and the Government of the Kingdom of the Netherlands, dated September 7, 1949, initialled February 2, 1950 and signed March 16, 1950.

Travel Control

1. Netherland-German agreement concerning frontier laissez-passer. October 15, 1949

Amended on several occasions (November 16, 1949, January 6, 1950, 15/21 February 1950, December 5, 1950, March 5, 1951, May 10, 1951, June 2, 1951, July 24, 1951, August 10, 1951).

War Dead

1. Agreement between US High Commissioner and Netherlands Graves Registration Mission providing for repatriation of Dutch war dead to the Netherlands. August 18, 1950

POLAND

Transport

1. Rolling Stock restitution and exchange agreement between the Allied High Commission for the Governments of France, Belgium and the Netherlands on the one hand and the Government of Poland on the other hand, dated July 8, 1950.

Trade and Payments

1. Trade Agreement between the Government of the Republic of Poland and the US, UK and French Military Government of Germany, initialled June 30, 1949.

2. Agreed Minutes of the discussions of a Mixed Commission from the Government of the Polish Republic and the US, UK and French Military Governments for Germany, initialled July 6, 1950 and signed October 9, 1950.

3. Payments agreement between the Republic of Poland and the Military Governments of Germany, US, UK and French, initialled Frankfurt, June 30, 1949.

UNITED KINGDOM

Labour

1. Operation "Artisan": A scheme for recruitment of workers for employment by the British War Department in Cyrenaica, negotiated by the UK Element of the Labour Affairs Committee of the Allied High Commission with the consent of the US and French elements with the Federal Government. No formal agreement.

October 3, 1949

2. "Sudeten" Scheme: An agreement for the recruitment of Sudeten workers for employment in Great Britain concluded by UK and US Military Governments in Germany. March 18, 1949

3. "North Sea" Scheme: An agreement arranged between UK Military Government and the UK Ministry of Labour and National Service. No formal agreement was signed.

June 1948

4. "Westward Ho" Scheme: An agreement arranged between US Military Government and the UK Ministry of Labour and National Service. No formal agreement, terms and conditions contained in ZEI, No. 9.

May 1947

THE SAAR

Travel Control

1. Frontalier Agreement between the Saar territory and the French Zone.

July 1, 1948

Amended on several occasions by the Mixed Commission. (October 26, 1948, May 19, 1949, December 23, 1949, July 26, 1950.)

2. Frontalier Regulations for frontalier travel between the Saar and the Federal Republic.

February 1, 1951

Completed on March 2, 1951 and amended on July 19, 1951.

SOVIET MILITARY ADMINISTRATION

Power and Fuel

1. Agreement between UK Military Governor and Soviet Military Administration. Supply of power to British Zone from Harbke Power Station in exchange for brown coal from Helmstedt area.

October 1, 1948

War Dead

1. Agreement between U. S. High Commissioner and Soviet Occupation authorities providing for repatriation of remains of Soviet citizens to the Soviet Union and also providing for the perpetual maintenance of Soviet graves in Germany.

May 4, 1951

SWITZERLAND

Trade and Payments

1. Payments Agreement between Military Governments for Germany, US, UK and France, and the Swiss Federal Government, initialled Berne, August 27, 1949.

2. Agreed Minutes of certain financial matters between a Delegation of the three Western Zones of Germany and a Swiss Delegation signed in Berne, August 27, 1949.

3. Special protocol concerning the transfer of wages, salaries, pensions, annuities, and doctors—fees in frontalier traffic between Western Germany and Switzerland, initialled Berne, August 1949.

Transport

1. Convention for the regularisation of the upper Rhine by France (on behalf of the French Zone) and Switzerland dated December 19, 1947.

Travel Control

1. Frontalier Agreement in respect of the control of persons and goods between the French Zone of Germany and Switzerland.

November 3, 1945 (Berne)

(This agreement provides for the establishment of a mixed commission to resume its proper operation. It has met on ten occasions.)

2. Agreement between CTB and Switzerland in respect of tourists on the Germany/Swiss frontier.

October 16, 1950

Amended on 24/25 October 1950.

Concerns the frontalier zones of both countries.

CZECHOSLOVAKIA

Transport

1. Rolling stock exchange agreement between the Military Governments for Germany (UK and US) and Czechoslovakia dated August 10, 1949.

Trade and Payments

1. Agreed Minute of the discussions between representatives of the Government of the Republic of Czechoslovakia and representatives of the Allied High Commissioners of Germany (US, UK and French) initialled in Frankfurt, October 21, 1949.

2. Agreement between the Government of the Republic of Czechoslovakia and the Military Governments of Germany (US/UK) concerning the exchange of goods, services and payments between Czechoslovakia and the US/UK Occupied Areas of Germany Initialled September 30, 1948, signed December 3, 1948.

3. Protocol on Payments to amend the Payments Agreement dated September 5, 1947 as amended between Military Governments for Germany (US, UK and French) and the Government of the Republic of Czechoslovakia, initialled Frankfurt, October 21, 1949.

Posts and Telecommunications

1. Postal Agreement between Allied Control Authority and Postal and Telecommunications Administration of Czechoslovakia.

Parcels from Germany to prisoners-of-war. November 15, 1947

IRO and DPs

1. Minutes of discussion between representatives of the High Commission and CSR held in Prague on January 28 and 30, 1950 concerning technical details in connection with the emigration of 20,000 persons of German ethnic origin from Czechoslovakia for the purpose of joining their families already established in Germany.

URUGUAY

Trade and Payments

1. Agreement between the Government of the Republic Oriental of Uruguay and the Allied High Commission for Germany, covering trade between Uruguay and the Federal Republic of Germany, initialled Frankfurt, October 11, 1949.

2. Payments Agreement between the Government of the Republic Oriental of Uruguay and the Allied High Commission of Germany, initialled October 11, 1949.

YUGOSLAVIA

Transport

1. Rolling Stock restitution and exchange Agreement between the Allied High Commission and Yugoslavia dated April 22, 1950.

Trade and Payments

1. Protocol between the Government of the People's Federal Republic of Yugoslavia and the Allied High Commission for Germany, amending the Payments Agreement between the Government of the People's Federal Republic of Yugoslavia and the Military Governments for Germany, US/UK dated April 28, 1948 as amended by an amendment dated March 31, 1949 and an amendment dated September 2, 1949, initialled in Frankfurt on November 21, 1949.

Posts and Telecommunications

1. Postal Agreement between Allied Control Authority and Postal and Telecommunications Administrations of Yugoslavia.

Parcels from Germany to prisoners-of-war. October 15, 1947

Travel Control

1. Agreement concerning Danube traffic between the Allied authorities in Austria and the Danube River Field Organization, IWT Division, Bipartite Control Office, at Frankfurt and Ratisbourne.

Concerns the movement of persons engaged in work on the Danube, applicable to boatmen from Austria and Yugoslavia. May 1, 1949

INTERNATIONAL ORGANIZATIONS

Posts and Telecommunications

Universal Postal Union

The Reich was full member of this organization. The Federal Republic is not a member or associate member of the U. P. U. By AGSEC (49) 315, the A. H. C. specified that the Federal Republic would observe the procedure, regulations and recommendations of the U. P. U. This obligation will remain in force until the Federal Government, by acceding to the Union, assumes direct responsibility for such observance.

Displaced Persons and International Refugee Organization

1.*) Agreement between IRO and the Commander-in-Chief, European Command, U. S. Army. Definition of the relative functions and responsibilities of IRO and the Commander-in-Chief, U. S. Army, in respect of DP's and non-German refugees in Germany.

July 28, 1948

2.*) Agreement between the U.S. Military Government and IRO.

July 9, 1947

Welfare

1. UN (UNICEF) Agreement between UNICEF and French, British and US Military Governments. Assistance and delivery of

*) With the final liquidation of IRO this obligation will cease to exist.

gifts to needy children in Germany. (Completed April 3 and June 22, 1949). April 2, 1949

2. LICROSS (League of Red Cross Societies)—Agreement between LICROSS and US Military Government concerning gift shipments and welfare supplies. June 14, 1947

Travel Control

1. Central Rhine Commission:

Agreement concerning Rhine traffic—Issue of travel documents and control of movement of persons working in Rhine traffic. 1946

MULTILATERAL AGREEMENTS

Transport

1. Accession by France, UK and US on behalf of their respective occupation zones in Germany to agreement on freedom of the road with regard to:

- (a) freedom of transit for transport of goods by road;
- (b) freedom of transport of goods by road other than in transit;
- (c) freedom of international tourist traffic by road;
- (d) the most liberal application of the authorization systems for all international passenger transport by road, and, in particular, for international tourist traffic services not falling under (c).

Recorded in the Minutes of the ECE working party—E/ECE/TRANS/32. January 1, 1948

2. International Merchandise Convention.

International Passengers Convention.

(Reich was full member of both organizations. The Federal Republic is not, so far, a member but it implements the regulations of the Conventions).

Posts and Telecommunications

1. Agreements concerning international postal and telecommunications services relating to Germany as a whole, concluded by the Allied Control Authority with foreign administrations, in so far as replacement agreements or arrangements have not been put into application since then.

Radio Frequencies

1. International Administrative Aeronautical Conference, Geneva, 1948. Allocation of aviation frequencies. (Requirements were submitted and met for occupying forces services operated in support of civil aviation.)

PART II—AGREEMENTS OUT OF FORCE

ALASKA

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of Alaska.

Telephone Service.

April 15, 1949

ALGERIA

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of Algeria.

Telephone Service.

June 5, 1949

ARGENTINA

Trade and Payments

1. Protocol governing Trade and Payments. US, UK and French Military Governments of Germany and the Government of the Argentine Republic effective from May 5, 1949 until March 31, 1950 and further supplemented by Trade and Payment Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of the Argentine of June 9, 1950 for one year, subject to automatic extension unless termination notice is given.

Posts and Telecommunications

1. Telecommunications Agreement between the US and UK Military Governments and Argentine.

Telegraph Service.

November 24, 1947

November 26, 1947

AUSTRIA

Trade and Payments

1. Protocol between Austria and the US and UK Military Governments covering trade and payments between Austria and the US and UK Occupied Areas of Germany, of August 15, 1948, to remain in effect until August 14, 1949.

2. Agreed Minutes of discussions of April 14, 1949 between representatives of the Government of Austria and the Military Governments of the US, UK and French Occupied Areas of Germany amending the Payments Agreement of July 11, 1947 and extending it to include the French Zone of Occupation of Germany and the extension of the Protocol of August 15, 1948 to include trade between Austria and the French Zone of Germany.

3. Special Agreement of August 26, 1947 between the US and UK Military Governments of Germany and Austria concerning payment for coal and electricity between Austria and the UK and US Zones of Germany.

4. Payments Agreement between the US and UK Military Governments of Germany and Austria of July 11, 1947 extended on April 14, 1949 to include the French Zone of Occupation in Germany.

5. Agreed Minute of discussions of representatives of the Military Governments of Germany (US, UK and France) and the Austrian Federal Government of August 5, 1949 to cover period August 15, 1949 to August 14, 1950.

6. Agreement between the USA and Austria providing for the application of most favoured nations treatment to areas under occupation and control.

July 2, 1948

Fuel and Power

1. Agreement between US/UK Military Governments and the Government of Austria. Exchange of Power. July 7, 1947

(Since final rates in payment have not yet been determined there are certain obligations outstanding despite the expiry of the agreement.)

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of Austria.

Telephone Service. August 31, 1949

2. Telecommunications Agreement between the US, UK and French Military Government and the postal and telecommunications administration of Austria.

Telegraph Service. August 31, 1949

Law and Repression of Crime

1. Agreement between the French element of the Allied High Commission and Austria concerning the renunciation by both parties of the collection of duties resulting from the execution of rogatory commissions. February 14, 1950

BAHAMAS

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of the Bahamas.

Telephone Service. April 15, 1949

BARBADOS

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of Barbados.

Telephone Service. April 15, 1949

BELGIUM

Trade and Payments

1. Memorandum on trade and commerce relations between the Belgo/Luxembourg Economic Union and the combined US and UK Zones of Occupation in Germany, signed in Brussels, February 20, 1947.

2. Report and Recommendations of the conference held at Berlin between representatives of the Belgo/Luxembourg Economic Union and of the Military Governments for Germany (US, UK) including a Protocol between the Belgian Government and on behalf of the Luxembourg Government and the Military Governments for Germany (US and UK) concerning trade between the Belgo/Luxembourg Economic Union and the US/UK Occupied Areas of Germany, signed in Berlin, October 25, 1947.

3. Payments agreement between Military Governments for Germany, US, UK and French, and Belgian Government acting in their name and in the name of the Grand Duchy of Luxembourg, covering payment for trade between the Belgian monetary area and the US,

UK and French Occupied Areas of Germany, initialled January 21, 1949 to remain in force until December 31, 1949.

4. Additional Trade Protocol to the Trade Agreement between the Belgo/Luxembourg Economic Union and Military Governments for Germany (US/UK) dated August 6, 1948 and signed in Frankfurt, January 21, 1949.

5. Protocol between the Belgo/Luxembourg Economic Union and Military Governments for Germany, US, UK and French, amending Payments Agreement dated February 16, 1949 and signed in Brussels, June 11, 1949.

6. Amendments to the Protocol between the Belgo/Luxembourg Economic Union and Military Governments for Germany, US, UK and French, of July 1, 1949, signed at Frankfurt, November 16, 1949.

7. Second Additional Trade Protocol to the Trade Agreement between the Belgo/Luxembourg Economic Union and Military Governments of US/UK dated August 6, 1948 and signed in Brussels, June 11, 1949.

8. Second Additional Protocol to the Third Additional Trade Protocol to the Trade Agreement between the Belgo/Luxembourg Economic Union and Military Governments for Germany (US/UK) dated August 6, 1948 initialled in Frankfurt, October 21, 1950 and signed December 20, 1950.

9. Agreement between the USA and Belgium providing for the application of most favoured nations treatment to areas under occupation and control.

July 2, 1948

Travel Control

1. Agreement between the British Zone and Belgium in respect of the deportation of illegal frontier crossers.

September 17, 1947

Labour

1. "Black Diamond"—HMG/IRO/Belgian Government Agreement.

An agreement between the UK Government, Belgian Government and the International Refugee Organization concluded by the British element of CCG on behalf of H.M.G. for the admittance to Belgium of DPs from the British Zone of Germany. This agreement provides for the admission into Belgium of DPs (and their families) for work in the coal mines.

May 21, 1947 and

ratified by HMG September 3, 1947

Recruitment ceased as no further DPs were required.

Posts and Telecommunications

1. Telecommunications Agreement between the US and UK Military Governments and the postal and telecommunications administrations of Belgium.

Telegraph Service.

August 27, 1947

2. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Belgium.

Telephone Service.

April 2, 1947

3. Telecommunications agreement between Allied Control Authority and Postal and Telecommunications Administration of Belgium.

International telephone service.

February 1, 1948

4. Postal agreement between Allied Control Authority and Postal and Telecommunication Administration of Belgium.
Airmail service—incoming only. December 15, 1947

BELGIAN CONGO

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of the Belgian Congo.
Telephone Service. July 15, 1949

BELGO-LUXEMBOURG

Trade and Payments

1. Agreement concerning trade between the French Zone of Germany and the Belgo-Luxembourg Economic Union. March 6, 1948
2. Agreement concerning trade between the French Zone in Germany and the Belgium-Luxembourg Economic Union. Supplemented by financial agreement and memorandum concerning the procedure of execution. July 31, and August 1, 1947
Completed by agreed Minutes of the meeting of the Mixed Commission. April 25, 1948
3. Agreement concerning trade between the French Zone of Germany and the Belgo-Luxembourg Economic Union.
Supplemented by financial agreement. January 28, 1947
4. Protocol covering trade between the French Zone of Germany and Belgium. Supplemented by a financial agreement.
May 25, 1946
5. Protocol covering trade between the French Zone of Germany and Luxembourg.
March 9, 1946
Additional protocol concerning trade between the French Zone of Germany and Luxembourg.
6. Agreed minutes of a meeting of the Mixed Commission between a delegation of the French Zone of Germany and the Belgo-Luxembourg Economic Union covering former trade agreements, initialled 10—11 June, 1947.

BERMUDAS

Posts and Telecommunications

1. Telecommunications Agreement between US, UK and French Military Governments and the postal and telecommunications administration of the Bermudas.
Telephone Service. April 15, 1949

BRAZIL

Posts and Telecommunications

1. Telecommunications Agreement between the US and UK Military Governments and Brazil.
Telegraph Service (With Companhia Radiotelegrafica Brasileira, Nov. 26, 1947; Companhia Radio International do Brasil, Nov. 24, 1947).

BULGARIA

Trade and Payments

1. Memorandum on Trade and Commercial relations between the Government of the People's Republic of Bulgaria and the US and UK Areas of Germany, signed in Berlin, October, 1947.

2. Agreed Minutes of discussions of the Mixed Commission of Representatives of the People's Republic of Bulgaria and Military Governments for Germany (US/UK and French) regarding trade during the period September 1—December 31, 1949, extending the Agreement signed on October 4, 1947.

CANADA

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Canada.

Telephone Service.

April 30, 1947

CHILE

Trade and Payments

1. Payments agreement between the Government of the Republic of Chile and Military Governments of Germany, US, UK and French, initialled in Frankfurt, April 14, 1949.

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and Chile.

Telegraph Service.

November 26, 1947

COLOMBIA

Trade and Payments

1. Agreement between Junta del Control de Cambios Importaciones Exportaciones of the Republic of Colombia and the US, UK and French Military Governments of Germany, initialled in Frankfurt on June 14, 1949.

2. Extension of Agreement of June 14, 1949 by Exchange of Letters between the Colombia Delegate and Verwaltung für Wirtschaft, dated Frankfurt February 2, 1950.

3. Agreement between the Federal Republic of Germany and the Junta Directa del Control de Cambios Importaciones Exportaciones of the Republic of Colombia, signed Frankfurt, June 15, 1950, to remain in force until June 30, 1951.

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and Colombia.

Telegraph Service.

November 24, 1947

KOREA

Posts and Telecommunications

1. Telecommunications agreement between US, UK and French Military Governments and the postal and telecommunications administration of Korea.

Telephone Service.

July 15, 1949

COSTA RICA

Trade and Payments

1. Trade and Payments agreement between the Government of Costa Rica and Military Governments for Germany, US, UK and French, initialled in Frankfurt on August 15, 1949.

Posts and Telecommunications

1. Telecommunications agreement between US, UK and French Military Governments and the postal and telecommunications administration of Costa Rica.

Telephone Service.

April 15, 1949

GOLD COAST

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of the Gold Coast.

Telephone Service.

November 15, 1949

DENMARK

Trade and Payments

1. Protocol governing trade and payments between the Military Government of the French Zone and Denmark. November 5, 1946

Trade agreement—Military Government of the French Zone and Denmark. Supplemented by a financial agreement. July 22, 1948

2. Payments agreement dated October 5, 1947 between the Military Governments for Germany (US/UK) and the Royal Danish Government.

3. Agreement between US and UK Military Governments in respect of payments concerning trade between UK and US Zones of Germany and Denmark.

October 22, 1947

4. Protocol between the Royal Government of Denmark and Military Governments for Germany (US/UK) covering trade and payments between Denmark and the US/UK occupied Areas of Germany, initialled July 29, 1948, signed August 21, 1948.

5. Agreed Minutes of the discussion of the Mixed Commission between Denmark and the US/UK and French Occupied Areas of Germany, Frankfurt, initialled February 5, 1949.

6. Additional Protocol to extend and amend the Payments agreement dated October 5, 1947, between Military Governments for Germany (US/UK) and the Royal Government of Denmark, covering payments for trade between Denmark and the US/UK Occupied Areas of Germany, as amended and presently in existence, initialled February 8, 1949.

7. Agreed memorandum between the Royal Danish Consul and the Joint Export/Import Agency, Frankfurt, signed in Frankfurt, June 3, 1949.

8. Agreed Minutes of discussions of a Mixed Commission of representatives of the Royal Danish Government and the Military Governments for Germany (US/UK and French), signed in Copenhagen, July 15, 1949.

9. Payments agreement between Military Governments for Germany and the Royal Government of Denmark, covering payments for

trade and services between Denmark and the US/UK and French Occupied Areas of Germany, initialled in Copenhagen, July 15, 1949, signed August 5, 1949.

Note: Superseded by Payments agreement between the Allied High Commission for Germany and the Royal Danish Government, initialled in Frankfurt, November 25, 1949.

10. First additional protocol to the Protocol between the Royal Government of Denmark and the Military Governments for Germany, US/UK, covering trade and payments between Denmark and the US/UK Occupied Areas of Germany, of August 21, 1948, signed in Frankfurt, November 24, 1949.

11. Agreement between the USA and Denmark providing for the application of most favoured nations treatment to areas under occupation and control.
July 2, 1948

Posts and Telecommunications

1. Telecommunications agreement between Allied Control Authority and Postal and Telecommunications administration of Denmark.

International telephone service. February 1, 1948

2. Postal agreement between Allied Control Authority and Postal and Telecommunications administration of Denmark.

Airmail Service—incoming only. April 15, 1947

Travel Control

1. Frontalier agreement between British 21st Army Group and Denmark.
April 3, 1946

IRO and DPs

1. Agreement between the French Military Government in the French Zone of Germany and Denmark concerning the transfer from Denmark to the French Zone of Germany of 12,000 German refugees.
November 26, 1947

2. Agreement between the French Military Government in the French Zone of Germany and Denmark concerning the transfer from Denmark to the French Zone of Germany of 15,000 German refugees.
July 16, 1947

3. Agreement between the French Military Government in the French Zone of Germany and Denmark concerning the transfer from Denmark to the French Zone of Germany of 15,000 German refugees.
October 1, 1948

4. Agreement between the French Military Government in the French Zone of Occupation and Denmark concerning the transfer from Denmark to the French Zone of Germany of 2,500 German refugees.
January 1, 1949.

DOMINICAN REPUBLIC

Posts and Telecommunications

1. Telecommunications agreement between US, UK and French Military Governments and the postal and telecommunications administration of Dominican Republic.

Telephone Service. April 15, 1949

EGYPT

Trade and Payments

1. Agreement between the Royal Egyptian Government and Military Governments for Germany (US/UK) concerning trade and payments between Egypt and US/UK occupied areas of Germany.

December 21, 1948

2. Payments agreement between Royal Egyptian Government and Military Governments for Germany (US/UK) covering the crediting and amortization of obligations resulting from trade between Egypt and the US/UK Occupied Areas of Germany, dated December 21, 1948.

3. Amendment to agreement between the Royal Egyptian Government and Military Governments of Germany (US/UK) of December 21, 1948, extending agreement to cover trade and payments between Egypt and the French Zone of Occupation in Germany.

4. Protocol to the agreement between the Royal Egyptian Government and Military Governments for Germany (US/UK and French), of December 21, 1948 and amended May 17, 1949, initialled Frankfurt, September 9, 1949, signed November 10, 1949.

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Egypt.

Telephone Service.

October 20, 1949

ECUADOR

Trade and Payments

1. Agreement between the Government of the Republic of Ecuador and the Allied High Commission for Germany, covering trade between Ecuador and the Federal Republic of Germany, initialled Frankfurt, October 25, 1949.

Posts and Telecommunications

1. Telecommunications agreement between US, UK and French Military Governments and the postal and telecommunications administrations of Ecuador.

Telephone Service.

April 15, 1949

SPAIN

Trade and Payments

1. Supplement to trade agreement between the Government of Spain and the Military Governments of Germany, US, UK and French of February 1, 1949, initialled in Frankfurt on November 11, 1949.

2. Protocol between the Government of Spain and the Allied High Commission for Germany amending the payments agreement dated February 1, 1949, between the Government of Spain and Military Governments for Germany, US, UK and French, amending the payments agreement of February 1949, initialled Frankfurt, November 11, 1949.

3. Payments agreement between the Government of Spain and the Military Governments of US, UK and French Zones of Occupation in Germany, December 18, 1948, signed February 1949.

4. Trade agreement between the Government of Spain and the Military Governments of Germany, US, UK and French, December 18, 1948.

5. Agreement between the USA and Spain providing for the application of most favoured nations treatment to areas under occupation and control. May 10, 1948

Posts and Telecommunications

1. Postal agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Spain.
International postal service. September 1, 1948
(extended to Western Sectors of Berlin on October 15, 1948.)
2. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Spain and possessions.
Telephone Service. September 15, 1949
3. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Spain.
Telegraph Service. December 1, 1949

UNITED STATES

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the United States.
Telegraph Service
With the Commercial Cable Co., Inc. November 26, 1947
With Western Union Telegraph Co. November 29, 1947
RCA Communications, Inc. October 11, 1947
McKay Radio and Telegraph Co. October 18, 1947
2. Telecommunications agreement between the US and UK Military Governments and the United States.
Telegraph Service. February 1, 1948
(With American Telephone and Telegraph Co.)
3. Postal agreement between Allied Control Authority and postal and telecommunications administration of the US.
Airmail service—incoming only. September 15, 1946

FINLAND

Trade and Payments

1. Memorandum on Trade and Commercial relations between Finland and the combined British and US Zones of Occupation in Germany, signed in Berlin, August 1947.
Note: Superseded by Trade agreement between the Government of Finland and the Military Governments of Germany (US, UK and French) initialled February 3, 1949.
2. Payments agreement of September 12, 1947, between Finland and the combined US/UK Zones of Occupation in Germany.
Note: Superseded by Payments agreement between the Government of Finland and Military Governments for Germany (US, UK and French) signed February 3, 1949.
3. Agreed Minutes of meetings between representatives of the Government of Finland and representatives of the Joint Export/Import Agency, signed Frankfurt, June 25, 1948.
Note: Superseded by Trade agreement between the Government of Finland and the Military Governments of Germany (US/UK and French) initialled February 3, 1949.

4. Trade Agreement between the Government of Finland and the Military Governments of Germany, US, UK and French, initialled February 3, 1949.

Note: This Agreement supersedes the Memorandum on Trade and Commercial Relations between Finland and the Combined British and US Zones of Occupation in Germany, dated August 5, 1947, and Agreed Minutes between the Government of Finland and representatives of the Joint Export/Import Agency, dated June 26, 1948.

5. Exchange of letters between the Director General of JEIA and the Finnish Consul covering conversations regarding the Trade and Payments Agreement in force and supplementing these Agreements, signed Frankfurt, July 11, 1949.

6. First Additional Protocol to the Trade agreement concluded on February 3, 1949 between the Government of Finland and the Military Governments for Germany, US/UK and French, initialled Frankfurt, December 17, 1949, signed May 27, 1950.

7. Second Additional Protocol to the Trade Agreement between the American, British and French Military Governments of Germany and the Government of Finland, dated February 3, 1949, initialled December 1950 and signed January 28, 1951.

8. Supplementary Additional Protocol to the Second Additional Protocol dated January 25, 1951, initialled in Bonn, May 19, 1951.

9. Payments agreement between the Government of Finland and the Military Governments for Germany, US, UK and French, signed February 3, 1949. This agreement supersedes Payment Agreement of September 12, 1947, between the Military Governments for Germany, US, UK and Government of Finland.

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Finland.

Telephone Service.

January 1, 1949

2. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Finland.

Telegraph Service.

August 19, 1947

FRANCE

Transport

1. Rolling stock exchange agreements between France and the French Military Government in Germany, and between France and the US and UK Military Governments in Germany, March 18, 1948.

Trade and Payments

1. Protocol concerning frontier trade and exchange of facilities between the French Rhine and Moselle Departments and the Land of Baden.

September 29, 1948

2. Agreed Minutes relating to trade negotiations between Delegations representing the French Government and the US, UK and French Military Governors in Germany, signed July 21, 1949.

3. Additional Protocol to the Payments Agreement concluded on December 16, 1948, between the Government of the French Republic and the US, UK and French Military Governors in Germany.

4. Trade Agreement between the French Government and the US, UK and French Military Governors in Germany, initialled Frankfurt, July 21, 1949, signed August 5, 1949.

5. Protocol modifying the Payments Agreement of December 16, 1948, between the Government of the French Republic and the US, UK and French Military Governors of Germany, initialled May 21, 1949.

6. Agreed Minutes of a Mixed Commission of the US, UK and French Military Governments of Germany, and the French Government, signed Frankfurt, February 26, 1949.

7. Payments Agreement between the French Government and the Military Governors of the US, UK and French Occupied Areas of Germany, initialled in Berlin, November 1948, signed December 16, 1948.

8. Trade Agreement between the US, UK and French Military Governors of Germany and the French Government initialled in Berlin, November 1948, remaining in force until June 30, 1949.

9. Memorandum of a meeting between the US and British Authorities in Germany and a Delegation representing the French Government convened to discuss commercial and financial problems affecting the Combined US/UK Zones of Occupation in Germany and the French Union, signed in Paris, May 21, 1947.

10. Agreement between the USA and France providing for the application of most favoured nations treatment to areas under occupation and control.
June 28, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of France.

Telephone and telegraph.
April 28, 1947

Labour

1. Technical agreement between French and US Military Governments concerning the recruiting in the US Zone of workers for France.
February 5, 1948

2. Agreement between French Government and IRO concerning the recruiting of workers for France and Algeria. January 18, 1948

3. Technical agreement between French and British Military governments concerning recruiting in the British Zone of workers for France.
December 15, 1947

4. Recruitment agreement between the US Military Government and the Government of France.

An agreement concluded between the US military Government and the Government of France (as embodied in the exchange of letters on October 25, 1947) on recruitment of German workers in the US Zone of Germany for work in France. This agreement is supplemented by the technical agreement between the US Military Government and the Government of France dated February 5, 1948. This agreement provides for the recruitment of not more than 20,000 workers from the US Zone of Germany for employment in France.

5. Anglo-French Agreement.

An agreement for the recruitment of German and Displaced Persons workers concluded between UK and French Governments on 29/30

September 1947 supplemented by a technical agreement between the British and French Commanders in Chief in Germany dated December 15, 1947. September 29/30, 1947

Recruitment of 25,000 German workers from British Zones of Germany and 12,500 DPs from British Zones of Germany and Austria and 12,500 Volksdeutsche from British Zone of Austria and Poles from UK.

War Dead

1. Agreement between French and US Commanders-in-Chief. Repatriation of bodies of French nationals who died in Germany.

July 13, 1948

GAMBIA

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Gambia.

Telephone Service.

November 15, 1949

GIBRALTAR

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Gibraltar.

Telephone Service.

September 15, 1949

GREECE

Trade Payments

1. Agreed Minutes of discussions of Mixed Commission of representatives of the Royal Greek Government and of Military Governments for Germany, US, UK and French, initialled in Frankfurt, July 25, 1949.

2. Protocol to the Payments agreement dated March 16, 1949 between Military Governments for Germany, US, UK, and French and the Royal Greek Government, initialled July 25, 1949.

3. Memorandum on Trade and Commercial Relations between the Royal Government of Greece and the combined US, UK Zones of Occupation in Germany, signed in Athens, November, 1947.

4. Protocol covering trade between the French Zone and Greece supplemented by financial agreement.

April 23, 1948

5. Agreement between the USA and Greece providing for the application of most favoured nations treatment to areas under occupation and control.

July 2, 1949

6. Payments agreement between the Military Governments of Germany, US, UK and French, and the Royal Greek Government, initialled February 1949 and signed March 16, 1949.

7. Trade agreement between Royal Government of Greece and Military Government for Germany, US, UK and French, initialled Frankfurt, February 1949, signed March 16, 1949.

GUATEMALA

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Guatemala.

Telephone Service.

April 15, 1949

HAITI

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Haiti.
Telephone Service.

April 15, 1949

HONDURAS

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Honduras.
Telephone Service.

April 15, 1949

HUNGARY

Trade and Payments

1. Protocol on discussions held by a Mixed Commission of the Government of the People's Republic of Hungary and the Military Governments for Germany, US, UK and French, initialled March 30, 1950.
2. Protocol between representatives of the Government of the People's Republic of Hungary and the representatives of the Allied High Commissioners for Germany, (US, UK and French), initialled Frankfurt, October 19, 1949.
3. Agreed Minutes of the discussions between representatives of the Government of the People's Republic of Hungary and representatives of the Allied High Commissioners for Germany (US, UK and French), initialled Frankfurt, October 19, 1949.
4. Agreed Minutes of the discussions of the Mixed Commission of the Hungarian Republic and the US, UK and French Occupied Zones of Germany, initialled Frankfurt, June 3, 1949.
5. Protocol to extend and amend the Payments agreement dated October 5, 1947, between the US and UK Military Governments of Germany and the Hungarian Government, covering payments for trade between Hungary and the US and UK Occupied Areas of Germany, as amended and presently in existence. Initialled Frankfurt, June 3, 1949.
6. Payments agreement between the US, UK Military Governments of Germany and the Hungarian Government.
October 5, 1947
7. Memorandum on trade and commercial relations between the Hungarian Republic and the Combined US and British Zones of Occupation in Germany, signed in Budapest. September 1947

INDIA

Trade and Payments

1. Agreed Minutes of meetings of representatives of the Dominion of India and representatives of the three Western Zones of Germany, signed in Frankfurt on June 23, 1949.
2. Agreed Minutes of meetings between representatives of the Dominion of India and representatives of the US/UK Military Government in Germany signed in Frankfurt on July 28, 1948.

INDONESIA

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Indonesia.

Telephone Service.

April 1, 1949

IRAN

Trade and Payments

1. Protocol between the Government of the Empire of Iran and the Allied High Commissioners for Germany, US, UK and French, amending the Payments agreement dated July 1, 1949, signed in Frankfurt, 31 October 1949.

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Iran.

Telephone Service.

November 15, 1949

IRELAND

Trade and Payments

1. Agreement between the Government of the Republic of Eire and the Military Governments of US, UK and French Occupied Areas of Germany, June 16, 1949.

2. Agreement between the USA and Ireland providing for the application of most favoured nations treatment to areas under occupation and control.

June 28, 1948

ICELAND

Trade and Payments

1. Agreement between the USA and Iceland providing for the application of most favoured nations treatment to areas under occupation and control.

July 3, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Iceland.

Telegraph Service.

July 4, 1947

ISRAEL

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Israel.

Telephone Service.

November 15, 1949

ITALY

Trade and Payments

1. Protocol between the Italian Government and the Allied High Commission for Germany amending Payments agreement of May 1947, initialled Frankfurt, September 28, 1949.

2. Agreed Minutes of trade discussions of the Mixed Commission between representatives of the three Western Zones of Occupation in Germany, initialled in Rome, April 28, 1949.

3. Payments agreement between the Military Governors for Germany, US, UK and French and the Italian Government, initialled in Rome, April 26, 1949.

4. Agreed Record of the trade negotiations between the Italian Delegation and the representatives of the Combined US/UK Zones of Occupation in Germany, signed Frankfurt, September 3, 1948.

5. Memorandum of agreement on trade and commercial relations between the Italian Delegation and the representatives of the Combined US/UK Zones of Occupation in Germany, signed in Berlin, June 1947.

6. Payments agreement between Italy and the Combined US/UK Zones of Occupation in Germany, May 1947.

7. Protocol covering trade between the French Zone and Italy supplemented by an agreement concerning payments.

April 24, 1947

8. Protocol covering trade between French Zone and Italy supplemented by an agreement concerning payments. March 31, 1948

9. Agreement between the USA and Italy providing for the application of most favoured nations treatment to areas under occupation and control. June 28, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administrations of Italy.

Telephone Service.

July 5, 1947

JAPAN

Trade and Payments

1. Financial arrangement for trade between the US, UK and French Occupied Areas of Germany and Occupied Japan, initialled in Tokyo, October 4, 1949.

2. Trade agreement between the US, UK and French Occupied Areas of Germany and Occupied Japan, initialled July 22, 1949, effective as from August 1, 1949.

3. Trade agreement between the US, UK and French Occupied Areas of Germany and Occupied Japan, signed in Tokyo, October 31, 1949.

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Japan.

Telephone Service.

February 1, 1949

2. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Japan.

Telegraph service and establishment of direct radio circuit.

December 20, 1949

3. Postal agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Japan.

International postal service.

October 15, 1948

LUXEMBOURG

Trade and Payments

1. Protocol concerning trade between the French Zone of Occupation and Luxembourg. March 9, 1946

Supplemented by an additional protocol dated October 17, 1946

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2. Agreement between the USA and Luxembourg providing for the application of most favoured nations treatment to areas under occupation and control. July 3, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Luxembourg.

Telephone and telegraph. April 1, 1947

2. Telecommunications agreement between Allied Control Authority and postal and telecommunications administration of Luxembourg. International telephone service. February 1, 1948

Travel Control

1. Frontalier agreement between French Zone and Luxembourg concerning transfer of agricultural products. July 13, 1946

Amended April 24, 1947

2. Frontalier agreement between Luxembourg and the French Zone of Germany. December 27, 1945

3. Frontalier agreement between Luxembourg and the French Zone. January 10, 1950

Labour

1. US Luxembourg Reeruitment Agreement:

The agreement concluded between the US Military Government and the Government of Luxembourg on August 15, 1949 for the reeruitment of agricultural labour in the US Zone of Germany. This agreement is supplemented by the "Wage and Hour Agreement for Farm Hands". August 15, 1949

MOROCCO

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Morocco.

Telephone Service. June 5, 1949

NICARAGUA

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Nicaragua.

Telephone Service. April 15, 1949

NIGERIA

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Nigeria.

Telephone Service. November 15, 1949

NORWAY

Trade and Payments

1. Agreed Minutes of trade discussions between a Delegation of the three Western Zones of Germany and a Norwegian Delegation, initialled September 16, 1949.

2. Agreed Minutes of discussions of the Mixed Commission of Norway and the US, UK and French Occupied Zones of Germany, initialled Frankfurt, February 17, 1949.

3. Additional Protocol to extend and amend the Payments Agreement dated July 30, 1948, between Military Governments for Germany, US, UK and the Royal Norwegian Government covering payment for trade between Norway and the US/UK Occupied Areas of Germany, initialled February 17, 1949.

4. Protocol covering trade between French Zone and Norway. Supplemented by financial agreement. July 5, 1948

5. Agreement between Military Governments for Germany (US/UK) and the Royal Norwegian Government, covering payment for trade between Norway and the US/UK Occupied Areas of Germany, initialled Frankfurt, July 1, 1948, and signed July 30, 1948.

6. Protocol between the Royal Norwegian Government and the Military Governments for Germany (US/UK) covering trade and payments between Norway and the US/UK Occupied Areas of Germany, initialled July 1, 1948.

7. Protocol between the Royal Norwegian Government and the Military Governments for Germany (US/UK) covering trade between Norway and the US/UK Occupied Areas of Germany, signed Oslo, August 1947.

8. Protocol covering trade between French Zone and Norway. Supplemented by financial agreement. August 4, 1947

Extended by exchange of notes dated January 21, 1948 and March 23, 1948.

9. Agreement between the USA and Norway providing for the application of most favoured nations treatment to areas under occupation and control. July 3, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Norway.

Telephone and telegraph. March 29, 1947

2. Telecommunications agreement between Allied Control Authority and postal, and telecommunications administration of Norway.

International telephone service. February 1, 1948

PANAMA

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Panama.

Telephone Service. April 15, 1949

THE NETHERLANDS

Transport

1. Agreement between the Military Governments for Germany (UK and US) and the Netherlands on the restitution of craft from and to the Netherlands dated January 20, 1947.

Trade and Payments

1. Agreed minutes of discussions between a delegation of the French Zone of Germany and the Netherlands covering former trade agreements, initialled October 23, 1946.

2. Commercial Protocol between the Dutch Government and the Military Government of the French Zone of Occupation.

August 9, 1947

Supplemented by memorandum concerning the procedure of execution and agreed minutes of the negotiations of August 23, 1948 relating to the financial dispositions of the agreement.

3. Protocol concerning trade between the French Zone of Occupation and the Netherlands supplemented by a financial agreement.

September 29, 1947

Completed by agreed Minutes of the Mixed Commission of January 7, 1948.

4. Protocol concerning trade between the French Zone of Occupation and the Netherlands.

January 20, 1947

5. Memorandum on trade and commercial relations between the Kingdom of the Netherlands and the Combined US and British Zones of Occupation in Germany, signed at The Hague, January 1947.

6. Provisional agreement between Military Governors for Germany, US/UK and the Netherlands covering payment for trade between the Netherlands and US/UK Occupied Areas of Germany, signed February 15, 1947.

7. Commercial agreement between the Kingdom of the Netherlands and the Military Governments for Germany, US/UK, initialled Frankfurt, July 31, 1948.

8. Agreed Minutes of the discussions of the Mixed Commission of the Netherlands and the three Western Zones of Germany, initialled Frankfurt, December 17, 1948.

9. Agreed Minutes of the discussions of the Mixed Commission of the Netherlands and the three Western Zones of Germany, signed The Hague, March 26, 1949.

10. Protocol to extend and supplement the agreement dated February 15, 1947 between the Military Governments of Germany (US/UK) and the Netherlands Government covering payment for trade between the Netherlands and the US/UK Occupied Areas of Germany, as amended and presently in existence. Initialled at The Hague, March 26, 1949.

11. Agreed Minutes of discussions between a Western German Delegation and a Netherlands Delegation representing the US, UK and French Military Governments, signed in Frankfurt, September 24, 1949.

12. Agreed Minutes of the negotiations on Netherlands/German trade, initialled in Frankfurt, February 2, 1950.

This agreement extended that trade on the basis of the existing agreements concluded by the Military Governments for Germany, US, UK and French.

13. Agreed Minutes of the negotiations on Netherlands/German trade initialled at The Hague, May 17, 1950 and agreed minutes covering payments between the Netherlands and Germany, signed at Bonn, November 13, 1950.

14. Protocol on German Netherlands/Indonesian trade, initialled at The Hague, August 26, 1950, signed at Bonn, November 13, 1950.

15. Agreement between the USA and the Netherlands providing for the application of most favoured nations treatment to areas under occupation and control. July 2, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of the Netherlands.

Telephone Service. April 1947

2. Postal agreement between Allied Control Authority and postal telecommunications administration of the Netherlands.

Airmail Service—incoming only. December 15, 1947

Travel Control

1. Agreement between the Netherlands Ministry of Justice and the Combined Travel Board. April 17, 1950

To facilitate the obtaining of visas and entry permits by persons holding passports for foreign travel.

Labour

1. DPs for Holland Scheme—HMG/IRO/Netherlands Scheme.

An agreement between the UK Government, Dutch Government and the International Refugee Organization for the admittance into Holland of DPs from the British Zone of Germany.

October 22, 1947

Law and Repression of Crime

1. Agreement between the French element of the Allied High Commission, on behalf of the three Länder of the French Zone, and the Netherlands concerning the mutual communication of the sentences imposed by their tribunals against citizens of their respective countries. September 19, 1949

PERU

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and Peru.

Telegraph Service. November 24, 1947

PHILIPPINES

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of the Philippines.

Establishment of direct radio telephone and telegraph circuits. October 19, 1949

POLAND

Trade and Payments

1. Trade agreement between the Government of the Republic of Poland and the Military Governments of the US, UK and French Zones of Occupation in Germany, initialled Frankfurt, December 20, 1948.

2. Payments agreement between the Government of the Republic of Poland and the Military Governments of the US, UK and French Zones of Occupation in Germany, initialled Frankfurt, December 20, 1948.

3. Memorandum on trade and commercial relations between Poland and the US/UK Zones of Occupation in Germany, signed Warsaw, October 1947.

Posts and Telecommunications

1. Postal agreement between Allied Control Authority and postal and telecommunications administration of Poland.
Airmail service—incoming only. January 15, 1947

PORTUGAL

Trade and Payments

1. Agreement between the USA and Portugal providing for the application of most favoured nations treatment to areas under occupation and control. September 28, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Portugal.
Telephone Service. March 1, 1949

SOUTHERN RHODESIA

Posts and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Southern Rhodesia.
Telephone Service. November 15, 1949

UNITED KINGDOM

Trade and Payments

1. Protocol of trade agreement signed in London between the British Government and the Military Government of the French Zone of Occupation. 19/20 November, 1947

2. Agreed Minutes of discussions between representatives of H. M. Government in the United Kingdom of Great Britain and Northern Ireland and a Delegation representing the Military Governments of the US/UK and French Areas of Occupation in Germany, signed August 18, 1949.

3. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the US, UK and French Military Governments of Germany for the regulation of payments initialled Frankfurt, June 30, 1949.

4. Agreed Minutes of discussions between representatives of H. M. Government in the United Kingdom of Great Britain and Northern Ireland and a Delegation representing the US, UK and French Areas of Occupation in Germany, signed Frankfurt, April 1, 1949.

5. Agreed Minutes of discussions between representatives of H. M. Government in the United Kingdom of Great Britain and Northern Ireland and a Delegation of the US, UK and French Occupied Zones of Germany, signed London, March 8, 1949.

6. Agreed Minutes of meetings between representatives of the Government of the UK and the Joint Export Import Agency, initialled Hoechst, May 12, 1948.

7. Agreement between the USA and United Kingdom providing for the application of most favoured nations treatment to areas under occupation and control. July 6, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of the United Kingdom.

Telegraph Service. August 15, 1947

2. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of the United Kingdom.

Telephone Service. March 27, 1947

3. Postal agreement between Allied Control Authority and Postal and telecommunications administration of Great Britain.

Airmail service—incoming only. September 15, 1946

SAN MARINO

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of San Marino.

Telephone Service. May 10, 1949

SALVADOR

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Salvador.

Telephone Service. May 5, 1949

THE SAAR

Posts and Telecommunications

1. Postal agreement between the US, UK and French Military Governments and the postal and telecommunications administration of the Saar.

Postal service placed on an international basis. October 1, 1948

2. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of the Saar.

Telephone Service. March 1, 1949

3. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of the Saar.

Establishment of service on an international basis. March 1, 1949

SIERRA LEONE

Postal and Telecommunications

1. Telecommunications agreement between the High Commission and the postal and telecommunications administration of Sierra Leone.

Telephone Service. November 15, 1949

SWEDEN

Trade and Payments

1. Amendment of the agreement covering payments between Sweden and the US/UK and French Occupied Areas of Germany dated May 25, 1949, signed Frankfurt, November 26, 1949.

2. Third additional protocol to the protocol covering trade and payments between Sweden and the US/UK Occupied Areas of Germany, signed April 19, 1948, and later extended to the French Occupied Areas of Germany, signed Frankfurt, November 26, 1949.

3. Agreement covering payments between Sweden and the US/UK and French Occupied Areas of Germany, initialled in Frankfurt May 5, 1949.

4. Exchange of letters between Swedish Consul and Director General of JEIA establishing supplementary lists to the additional Protocol of January 14, 1949, dated Frankfurt, March 29, 1949.

5. Additional Protocol regarding Swedish bizonal trade during 1949, signed January 14, 1949.

6. Protocol concerning the application to the French Occupied Area of Germany of the agreement relating to trade and payments between Sweden and the combined US/UK Occupied Areas of Germany, signed in Berlin February 5, 1949.

7. Special Protocol relating to payments between Sweden and the US/UK Occupied Areas of Germany, signed in Berlin, December 1948.

8. Special agreement between the Royal Government of Sweden and the Military Governments for Germany, US/UK signed Frankfurt, August 19, 1948.

9. Protocol between the Swedish Government and the Military Government of Germany, US/UK covering trade and payments between Sweden and the US/UK Occupied Areas of Germany, initialled in Berlin, April 19, 1948.

10. Memorandum concerning Swedish bizonal shipping, signed in Frankfurt, August 1948.

11. Protocol covering trade between the French Zone and Sweden. This protocol was supplemented by a financial agreement and a memorandum concerning the procedure of implementation.

October 10, 1947

Completed by agreed minutes of meetings held in Paris 4/5/3 August, 1948.

12. Agreement between the Military Governments for Germany, US, UK and the Swedish Government covering payments between Sweden and the US/UK Occupied Zones of Germany, signed October 5, 1947.

13. Agreement between the USA and Sweden providing for the application of most favoured nations treatment to areas under occupation and control.

July 3, 1948

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Sweden.

Telegraph Service.

March 1947

2. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Sweden.

Telephone Service.

April 24, 1947

3. Telecommunications agreement between Allied Control Authority and postal and telecommunications administration of Sweden. International telephone Service. February 1, 1948
4. Postal agreement between Allied Control Authority and postal and telecommunications administration of Sweden. March 20, 1947
Airmail service—incoming only.

SWITZERLAND

Transport

1. Agreement between the French Military Government and Switzerland on German railways in Switzerland dated December 9, 1947, providing for provisional regulation of the operation of German railways in Switzerland.
2. Rolling stock exchange agreement between the Military Governments for Germany (UK, US and French) and Switzerland dated June 23, 1949.

Trade and Payments

1. Agreed Minutes of trade discussions between a Delegation of the three Western Zones of Germany and a Swiss Delegation, signed in Berne, August 27, 1949.
2. Agreed Minutes of the trade discussions between the Swiss Delegation and representatives of the combined US/UK Zones of Occupation in Germany, signed in Frankfurt, August 23, 1948.
3. Memorandum of agreement on trade and commercial relations between Switzerland and the combined US/UK Zones of Occupation in Germany, signed in Berlin, June 1947.
4. Protocol covering trade and payments between the German frontier Zone and Switzerland. June 7, 1946

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration for Switzerland. June 25, 1947
Telephone and Telegraph.
2. Telecommunications agreement between Allied Control Authority and postal and telecommunications administration of Switzerland. February 1, 1948
International telephone Service.
3. Postal agreement between the Allied Control Authority and postal and telecommunications administration of Switzerland. March 5, 1947
Airmail service—incoming only.

Labour

1. Agreement concerning the introduction in Switzerland of German maids. July 11, 1946

SURINAM

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Surinam. June 25, 1949
Telephone Service.

TANGIERS

Posts and Telecommunications

1. Telecommunications agreement between US, UK and French Military Governments and the postal and telecommunications administration of Tangiers.

Telephone Service.

June 5, 1949

CZECHOSLOVAKIA

Trade and Payments

1. Memorandum on Trade and Commercial Relations between Czechoslovakia and the combined US/UK Zones of Occupation in Germany, signed in Berlin, January 31, 1947.

2. Memorandum on Trade and Commercial Relations between Czechoslovakia and the combined US and British Zones of Occupation in Germany, signed in Prague, July 1947.

3. Payments agreement between Military Governments for Germany, US/UK and the Government of the Republic of Czechoslovakia, dated September 5, 1947.

4. Additional Trade Protocol to the agreement between the Government of the Republic of Czechoslovakia and Military Governments for Germany (US/UK), dated December 3, 1948, initialled February 19, 1949, which act ended the agreement to include trade with the French Zone.

5. Agreed Minutes of the discussion of a Mixed Commission held from September 29 to December 22, 1950, in accordance with Articles 5 and 7 of the Agreement between the Czechoslovakian Republic and the Military Governments for Germany, dated December 3, 1948, as revised on October 21, 1949. Initialled December 21, 1950, but not yet signed as on July 17, 1951.

6. Protocol on Payments to extend and amend the Payments agreement, dated September 5, 1947, between the Military Governments for Germany (US/UK) and the Government of the Republic of Czechoslovakia, dated June 29, 1949.

Posts and Telecommunications

1. Telecommunications agreement between the US and UK Military Governments and the postal and telecommunications administration of Czechoslovakia.

Telephone and Telegraph.

April 26, 1947

2. Telecommunications agreement between the Allied Control Authority and Postal and Telecommunications Administration of Czechoslovakia.

International Telephone Service.

February 1, 1948

3. Postal agreement between Allied Control Authority and Postal and Telecommunications Administration of Czechoslovakia.

Airmail service--incoming only.

December 15, 1947

TRINIDAD

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Trinidad.

Telephone Service.

April 15, 1949

TUNISIA

Posts and Telecommunications

1. Telecommunications agreement between the US, UK and French Military Governments and the postal and telecommunications administration of Tunisia.

Telephone Service.

June 5, 1949

TURKEY

Trade and Payments

1. Agreed Minutes of discussions between representatives of the Republic of Turkey and a Delegation representing the Military Governors of the US, UK and French Areas of Occupation in Germany, signed August 10, 1949.

2. Trade agreement between Turkey and French Zone of Germany. This agreement was supplemented by an agreement on payments and a memorandum concerning the procedure of implementation.

April 19, 1948

3. Agreement between USA and Turkey providing for the application of most favoured nations treatment to areas under occupation and control.

July 4, 1948

4. Payments agreement between the Government of the Republic of Turkey and the US, UK and French Military Governments of Germany, initialled in Frankfurt, December 16, 1948.

5. Trade agreement between the Government of the Republic of Turkey and the US, UK and French Military Governors of Germany, initialled in Frankfurt on December 16, 1948.

URUGUAY

Trade and Payments

1. Agreement between the Government of the Republic Oriental of Uruguay and Military Governments for Germany, US, UK, covering trade between Uruguay and the US/UK Occupied Areas of Germany, initialled Frankfurt, October 7, 1948.

2. Payments agreement between the Government of the Republic of Uruguay and Military Governments for Germany, US/UK, initialled Frankfurt, October 7, 1948.

YUGOSLAVIA

Trade and Payments

1. Protocol to the payments agreement dated April 28, 1948, initialled Frankfurt, August 19, 1949.

2. Agreed Minutes of discussions between representatives of the People's Federal Republic of Yugoslavia and a Delegation representing the Military Governments of Germany, US, UK and French, signed Frankfurt, August 19, 1949.

3. Trade agreement between the People's Federal Republic of Yugoslavia and the Military Governments for Germany, US, UK and French, Frankfurt, March 5, 1949.

4. Protocol on payments agreement extending and amending the payments agreement covering payment for trade between Yugoslavia and the US/UK occupied areas of Germany, attached as Annex "F" to the Protocol dated April 28, 1948, concluded by the Government of the People's Republic of Yugoslavia and the Military Governments for Germany, US/UK, initialled Frankfurt, March 5, 1949.

5. Protocol between the Military Governments for Germany, US/UK, and the Government of the People's Federal Republic of Yugoslavia, dated April 28, 1948.

6. Protocol between the Government of the People's Federal Republic of Yugoslavia and the Military Governments of Germany, US/UK, covering trade and payments between the People's Federal Republic of Yugoslavia and the US/UK Occupied Areas of Germany, signed in Belgrade, August 1947.

Posts and Telecommunications

1. Telecommunications agreement between the US and UK and French Military Governments and the postal and telecommunications administration of Yugoslavia.

Telephone Service.

March 15, 1949

INTERNATIONAL ORGANIZATIONS

IRO and DPs

1. Agreement between French Military Government and UNRRA, February 18, 1946. Relative functions and responsibilities of the Director General of UNRRA and the French Military Government in the French Zone of Germany.

2. Agreement between IRO and the British Element of the Control Commission for Germany. Definition of the relative functions and responsibilities of IRO and the UK element of CCG in respect of DPs and non-German refugees in Germany.

June 28, 1947

Welfare

1. CARE (Cooperative for American Remittance for Europe Incorporated)—Agreement between CARE and US Military Government concerning gift shipments and welfare supplies. June 5, 1946

2. CRALOG (Council of Relief Agencies Licensed for Occupation in Germany)—

Agreement between CRALOG and US Military Government concerning gift shipments and welfare supplies.

Mai 16, 1947

3. Agreement between Centre d'Entr Aide International and US Military Government concerning gift shipments and welfare supplies.

1947

MULTILATERAL

Posts and Telecommunications

1. Postal agreements between the US, UK and French Military Governments and the postal and telecommunications administrations of all countries of the world.

Extension of transit parcel post service through Germany.

(Extension of quadripartite decision which limited this service.)

October 20, 1948

2. All countries except Spain and Japan.

Telecommunications agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.

Telegraph Service.

December 1, 1947

3. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Transit mail through Germany. January 1, 1947
4. Countries in the European Regime.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of countries in the European Regime.
Transit parcel post through Germany. October 1, 1947
5. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Poste Restante. August 1, 1947
6. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Registered mail. January 1, 1948
7. All countries except Spain and Japan.
Postal agreement between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
International reply coupons (incoming to Germany only). June 21, 1946
8. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Reply paid postcards. (Incoming to Germany only.) February 15, 1948
9. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Gift Parcel Post Service. January 15, 1947
10. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Small packets—up to 2 kilograms. January 1, 1948
11. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.
Braille matter. May 15, 1947
12. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan. September 15, 1947

13. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.

Illustrated envelopes. September 1, 1947

14. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.

Illustrated postcards. June 15, 1947

15. All countries except Spain and Japan.
Postal agreements between Allied Control Authority and postal and telecommunications administrations of all countries except Spain and Japan.

Letters and cards. April 1, 1946

16. All European Countries except Spain.
Telecommunication agreement between Allied Control Authority and postal and telecommunications administrations of all European countries except Spain.

Transit Telecommunications Service. December 16, 1946

Radio Frequencies

1. Conference on Rhine River Radio Navigation, The Hague 1949.
April 16, 1949

(Agreement was given by US, UK and French Military Governors to procedures established for Rhine River Radio Communications.)

2. Regional I Admin. Radio Conference, Geneva 1949. Allocation of frequencies for mobile services in Europe.

(Requirements for occupying forces and German requirements in low and medium frequency bands were submitted and agreed.)

3. Provisional Frequency Board and International Frequency Registration Board, Geneva, 1948—50. Production of a new International Frequency List.

(German and occupational force requirements were presented on a tripartite basis. New International Frequency List has not yet been published.)

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[Translation]

MAY 26, 1952

To: High Commissioners [US/UK/France]

I have the honour, in reply to your letter of 26 May 1952, to confirm that your letter, and the list enclosed with it, constitute the communication referred to in paragraph 2 of Article 2 of Chapter One of the Convention on the Settlement of Matters Arising out of the War and the Occupation.

In the course of the negotiations, my representatives have declared that the inclusion in this list of treaties and international agreements referring to the Saar, and the consequent assumption of certain undertakings by the Federal Republic with regard to these treaties and international agreements referring to the Saar, does not imply any recognition by the Federal Republic of the present status of the Saar. I repeat this declaration and would be grateful if you would confirm that the inclusion in the list of certain treaties and agreements referring

to the Saar does not constitute any recognition by the Federal Republic of the present status of the Saar.

I take this opportunity to renew to you, Mr. High Commissioner, the assurance of my highest consideration.

/s/ ADENAUER

10d

26 MAY 1952

His Excellency

The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY

Mr. CHANCELLOR:

We have the honour, in reply to your letter of 26 May 1952, to confirm that the Governments of the Three Powers agree that the inclusion in the list of certain treaties and agreements enclosed with our letter of 26 May 1952, referring to the Saar, does not constitute any recognition by the Federal Republic of the present status of the Saar.

For the Government of the United States of America

JOHN J. McCLOY

U. S. High Commissioner for Germany

For the Government of the Republic of France

ANDRÉ FRANÇOIS-PONCET

French High Commissioner for Germany

For the Government of the United Kingdom
of Great Britain and Northern Ireland

IVONE KIRKPATRICK

U. K. High Commissioner for Germany

11

[Translation]

MAY 26, 1952

To: High Commissioners [US/UK/France]

On behalf of the Federal Government, I declare that, after the entry into force of the Convention on the Relations Between the Federal Republic of Germany and the Three Powers, it will apply the provisions of Article 44 of the International Telecommunications Convention signed at Atlantic City on 2 October 1947 in respect of the radio services or communication facilities of the Three Powers, the recognized private enterprises and other duly authorized enterprises within the territories of the Three Powers which are operated on frequencies allotted under the Agreement of Copenhagen (1948).

Although the Federal Government does not feel bound by the Agreement of Copenhagen, it accordingly recognizes that no harmful interference with these radio services or communications may be caused by radio stations in the Federal territory.

I shall be grateful if you will inform your Government of the contents of this letter.

I take this opportunity to renew to you, Mr. High Commissioner, the assurance of my highest consideration.

/s/ ADENAUER

12a

[Translation]

FEDERAL REPUBLIC OF GERMANY

THE FEDERAL CHANCELLOR

Bonn, May 25, 1952

To the Chairman of the Council of the Allied High Commission,
His Excellency
Mr. JOHN J. McCLOY,
Mehlem.

Mr. HIGH COMMISSIONER,

In order to bring the discussions on the question of "Gewerbefreiheit", which have been going on for a long time between the German and Allied representatives to a conclusion satisfactory to both parties, I offered, on 11 March 1952, to transmit to you a declaration on this point, in the form of a letter. On the occasion of the discussions referred to, both the representatives of the Three Powers and of the Federal Government concurred that on questions of "Gewerbefreiheit" the Basic Law for the Federal Republic of Germany is alone decisive, and that the Federal Constitutional Court should have the exclusive right to make binding decisions on the interpretation of said Basic Law. For this reason I rejoice that the Three Powers have waived their original desire to incorporate provisions regarding "Gewerbefreiheit" in the Contractual Agreements. I realize, however, that an early clarification of the interpretation issues deriving from the Basic Law is desirable, particularly in consideration of future legislation. Should the proceedings at that time pending before the Federal Constitutional Court not provide any opportunity for an adequate clarification of the issues, the Federal Government shall ask for a decision of the Federal Constitutional Court, as soon as an occasion arises for the filing of an application under Article 76, Section 2 of the Law concerning the Federal Constitutional Court.

I take this opportunity to renew to you, Mr. High Commissioner, the assurance of my highest consideration.

/s/ ADENAUER

12b

ALLIED HIGH COMMISSION FOR GERMANY

THE COUNCIL

Bonn—Petersberg

27 MAY 1952
AGSEC (52) 531

His Excellency

The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY

Palais Schaumburg

141 Koblenzer Strasse

Bonn

Mr. CHANCELLOR:

On behalf of the Allied High Commission I have the honor to acknowledge receipt of your letter of 25 May 1952 stating that the Federal Government will ensure that the constitutionality of restrictions on freedom to engage in a trade or profession will be brought

before the Federal Constitutional Court in the event that such issues are not decided within the near future in the cases now pending before that court.

Accept, Mr. Chancellor, the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

13a

[Translation]

FEDERAL REPUBLIC OF GERMANY
THE FEDERAL CHANCELLOR
Bonn, May 25, 1952

The Chairman of the
Council of the Allied High Commission
His Excellency
Mr. JOHN J. McCLOY
Mehlem.

Mr. HIGH COMMISSIONER:

In their negotiations with officials of the Allied High Commission the representatives of the Federal Government have repeatedly declared that the Federal Government is convinced that the Turn-over Tax legislation and its administration should not encourage the combination of industrial enterprises. The Federal Government will see to it that this idea is taken into account as far as possible in all measures in the field of the Turn-over Tax legislation and also in the application of the existing Turn-over Tax law.

I take this opportunity to renew to you, Mr. High Commissioner, the assurance of my highest consideration.

/s/ ADENAUER

13b

ALLIED HIGH COMMISSION FOR GERMANY

THE COUNCIL

Bonn—Petersberg

27 MAY 1952
AGSEC (52) 532

His Excellency
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
*Palais Schaumburg
141 Koblenzer Strasse
Bonn*

Mr. CHANCELLOR:

On behalf of the Allied High Commission I have the honor to acknowledge receipt of your letter of 25 May 1952 in which you state that the Federal Government's measures in the field of turn-over taxation including its administration of the existing laws will so far as possible prevent any incentive to the concentration of business enterprises.

Accept, Mr. Chancellor, the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

14a

[Translation]

FEDERAL REPUBLIC OF GERMANY
THE FEDERAL CHANCELLOR
Bonn, May 24, 1952

Chairman of the Council of the
Allied High Commission,
His Excellency
Mr. JOHN J. McCLOY.

Mr. High Commissioner:

Under Article 6, paragraph 1 of the Convention on the Settlement of Matters Arising out of the War and the Occupation, Allied High Commission Law No. 35 will expire upon the completion of the deconcentration of I. G. Farbenindustrie A. G.

Since, in the opinion of the representatives of the Three Powers, the provisions of a future German law against restraint of competition may not be sufficient fully to protect all successor companies during the period required by them to evidence their ability to exist as economically sound and independent enterprises against measures prohibited during the period of applicability of Law No. 35 with regard to re-concentration, the representatives of the Three Powers have requested that the Federal Government confirm the following:

1) If Law No. 35 is deprived of effect prior to the expiration of a period of three years, beginning at the agreed time of expiration of the powers of the agency competent for the deconcentration of I. G. Farben and responsible to the Three Powers and ending not later than 31 December 1955, the Federal Government will ensure that during this period no measures will be taken, which would result in bringing about, directly or indirectly,

a merger or other combination of successor companies of I. G. Farbenindustrie A. G. i. L., or former companies controlled by it, or their successor companies,

or

a control over one of the companies referred to by any other of them,

or

a control over two or more of the companies referred to by another natural or juristic person.

Within the same period, no contracts resulting in a "working agreement" (Interessengemeinschaft) between the contracting parties or providing for the taking-over of profits and losses shall be concluded between two or more of the companies referred to.

Direct or indirect acquisition of the total assets, or a substantial portion of them, of a company shall be deemed to be tantamount to a combination or affiliation within the meaning of the above.

2) After expiration of the powers of the agency referred to in Item No. 1, the Federal Government may, within the stipulated

period, grant exceptions from the principles under Item No. 1, if one or several of the companies referred to should get into a position where their continued existence as economically viable enterprises would be seriously jeopardized; any measures or any contracts, specified under Item No. 1, between Farbenfabriken Bayer A. G., Leverkusen, the Badische Anilin und Sodafabrik A. G., Ludwigshafen/-Rhein and the Farbwerke Hoechst A. G., formerly Meister, Lucius and Bruening, Frankfurt/Main-Hoechst shall not be admitted, not even as exceptions. On the other hand, contracts between any successor company and any company affiliated or to be affiliated in the course of the deconcentration of I. G. Farbenindustrie A. G. i. L. shall not be subject to any restriction; the same shall apply to measures taken by a successor company vis-a-vis any such company.

I have the honor to give you the requested confirmation after I have assured myself by inquiries with the Vorstaende of the successor companies and the liquidators of I. G. Farbenindustrie A. G. i. L. that the desired restrictions appear acceptable and that they therefore agree to the arrangement proposed in Items Nos. 1 and 2. I should like to add that, as a matter of course, the measures dealt with in this letter remain subject to the general legislation on restraint of competition even after expiration of the period set forth in Item No. 1.

I take this opportunity to renew to you, Mr. High Commissioner, the assurance of my highest consideration.

/s/ ADENAUER

14b

ALLIED HIGH COMMISSION FOR GERMANY

THE COUNCIL

Bonn—Petersberg

27 MAY 1952
AGSEC (52) 533

His Excellency
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Palais Schaumburg
141 Koblenzer Strasse
Bonn

Mr. CHANCELLOR:

On behalf of the Allied High Commission I have the honor to acknowledge receipt of your letter of 25 May 1952 concerning the prevention of re-concentration of successor companies of I. G. Farbenindustrie A. G. i. L.

Accept, Mr. Chancellor, the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

15

ALLIED HIGH COMMISSION FOR GERMANY

THE COUNCIL

Bonn—Petersberg

21 MAY 1952
AGSEC (52) 467

His Excellency

The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY

*Palais Schaumburg
141 Koblenzer Strasse
Bonn*

YOUR EXCELLENCY,

In the course of the negotiations on the completion of the reorganization of the German coal mining and iron and steel industries under Allied High Commission Law No. 27 your representatives have requested information as to the contents of the regulation to be issued under Law No. 27 concerning the distribution of shares of the new companies. In view of the fact that this regulation has not yet been drafted in final form, we are, at your request, writing this letter to inform you of the more important principles which will be incorporated therein.

As we have told you on previous occasions, the basic principle to be applied in the compensation of stockholders of the old enterprises will be that the shares of the unit companies or other successor companies of the enterprises listed in Schedule 'A' of Law No. 27 will be allocated on a *pro rata* basis to them.

As we have also told you on previous occasions, the shares thus allocated to the principal shareholders will be subject to some degree of special treatment in order to effectuate the purposes of the deconcentration. We are now in a position to state that the term "principal shareholder" will for this purpose include any shareholders possessing 15% or more of the shares of any of the enterprises listed in Schedule 'A' of Law No. 27. In addition a shareholder with less than 15% but more than 5% of the nominal capital of an old company may be treated as a principal shareholder only if he is in a position owing to the particular circumstances to exercise a controlling influence by reason of such holdings. In determining the total holdings of a shareholder, there will be added to his holdings all shares subject to his control by reason of any agreement or arrangement as well as any shares over which it is determined that he in fact exercise control by reason of his relations with the holder.

A principal shareholder may retain without limitation the shares of one successor company, including unit companies. He may also select that company and receive and retain up to 5% of the shares of other successor companies, unless the implementing agency under Law No. 27 determines that such selection or such receipt and retention of such shares would endanger the independence of the successor companies, assist in a combination within or between the coal and steel industries beyond the limits set forth in the applicable regulations

under Law No. 27 or violate standards explicitly laid down in Law No. 27. In any event where a principal shareholder is allowed to receive and retain shares of any company other than the company whose shares he is entitled to hold without limitation, such shares will be deprived of any significant voting power until such time as they are transferred for consideration to a person who is completely independent of the principal shareholder and who has acquired the shares by a genuine transaction on his own account and in his own name.

It is very probable that the provisions of the contemplated regulation will not have to be invoked since, on the basis of our negotiations with most of the principal shareholders and liquidators, we believe that agreements can be worked out for individual plans for the compensation of the shareholders of the old companies.

In order to prevent undue disturbance of the German capital market, a period of five years will be fixed for the disposition of such securities as have to be disposed of.

Accept, Excellency, the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

16a

26 MAY 1952

His Excellency,
The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY
Mr. CHANCELLOR:

Article 5 of Chapter Three of the Convention on the Settlement of Matters Arising out of the War and the Occupation provides that successor organizations and trust corporations, appointed pursuant to the legislation referred to in paragraph (a) of Article 1 thereof, shall continue to be granted the tax immunities enjoyed by them on the entry into force thereof, where those immunities involve taxes accruing to the Federation. The successor organizations and the trust corporations will enjoy on the entry into force of the Convention those tax immunities which, under German law, are granted to organizations directly and exclusively serving purposes useful to the public. The tax immunity provided for in the Convention relates only to taxes which accrue to the Federation. As my Government started from the premise that the position of the successor organizations and trust corporations should not be worsened as a result of the conclusion of the Convention, I should like you to confirm to me that where taxes or levies regarding which those organizations now enjoy tax immunity may, after the entry into force of the Convention, be payable by them to the Laender, Gemeinde or Gemeindenverbande, the Federal Government will settle the claims for those taxes or levies directly with the claimant authorities in such a way that the successor organizations and trust corporations will not be liable to make any payment thereon.

/s/ DEAN ACHESON,
Secretary of State
United States of America

16b

[Translation]

MAY 26, 1952

To: Foreign Ministers [US/UK/France]

In reply to your letter of today I agree that the position of the successor organizations and trust corporations should not be worsened as a result of the conclusion of the Convention. Accordingly I confirm that if, after the entry into force of the Convention, any taxes or levies which are not under German law imposed on German organization directly and exclusive serving purposes useful to the public, and which acerue in whole or in part to the Laender, Gemeinde or Gemeindeverbaende, are imposed upon the successor organizations and trust corporations, then the Federal Government will settle the claims for those taxes or levies directly with the claimant authorities in such a way that the successor organizations and trust corporations will not be liable to make any payments thereon.

/s/ ADENAUER

17

DECLARATION BY THE UNITED STATES AND UNITED KINGDOM GOVERNMENTS AND BY THE FRENCH GOVERNMENT ON REPARATIONS FROM CURRENT PRODUCTION.

MAY 25, 1952

FORMULA ON REPARATIONS

The U. S. and U. K. Governments declare that they have not asserted and do not intend to assert any claim for reparations out of eurrent production. They have consistently opposed, and intend to oppose the exaction of such reparations by any other Power. The French Government takes note of the situation of fact and therefore associates itself with Article I of Chapter VI of the Convention on the Settlement of Matters Arising out of the War and the Oecupation.

18a

ALLIED HIGH COMMISSION FOR GERMANY

THE COUNCIL

Bonn-Petersberg

19 MAY 1952
AGSEC (52) 459

His Exeelleney

The CHANCELLOR OF THE FEDERAL REPUBLIC OF GERMANY

Palais Schaumburg

Bonn

Mr. CHANCELLOR:

In accordance with the provisions of AHC Law 56, the assets of the Joint Export-Import Agency, except some still outstanding foreign exchange receivables, will be transferred to the Federal Republic upon the following agreed terms:

1. The Federal Government shall satisfy such of the elaims which have arisen in connection with the operations of the Joint Export-Import Agency or of any Agency of Military Government

whose functions were assumed by the Joint Export-Import Agency as the liquidators of the Joint Export-Import Agency or the Allied High Commission or other appropriate Allied Agency shall allow, but shall not be liable towards any creditor of the Joint Export-Import Agency or of any Agency of Military Government whose functions were assumed by the Joint Export-Import Agency, either with the assets transferred or with any other assets of the Federal Republic. The transfer will be without prejudice to the claims of the Allied Governments against the Federal Government for post-war economic assistance to Germany.

2. Included among the assets referred to are the balances held by the Bank deutscher Länder on behalf of the Joint Export-Import Agency which were derived from the import and export operations conducted in the three Western Zones of Germany and the three Western Sectors of Berlin with the assistance of working capital contributed by the French, United Kingdom and United States Governments. The foreign exchange balances were made available to the Bank deutscher Länder to meet the foreign exchange requirements of the Federal Republic, although the High Commissioners have reserved their rights in respect of these foreign exchange sums. These rights to the foreign exchange balances will be deemed to have passed to the Federal Republic on 1st October 1949.

3. The DM balances held by the Bank deutscher Länder in the name of the Joint Export-Import Agency have been employed by the liquidators in winding up the affairs of the Joint Export-Import Agency, but the liquidation accounts also reflect certain financial adjustments both in DM and in foreign currency required by the fusion of the foreign trade operations of the French Zone with those of the US/UK Zones, since it was impossible to conclude these before the 1st October 1949. Subject to the conditions stated in the following paragraphs, the High Commissioners further propose that the DM balances at present held in liquidation accounts, including the sum of DM 28,846,250 derived from a sterling payment by the Government of the United Kingdom to the Joint Export-Import Agency on the 30th June 1950 as contribution in lieu of relief imports, shall now be transferred to the Federal Government. The present financial position of the Joint Export-Import Agency is shown in the annexed statement as of 31st December 1951.

4. The Federal Government undertakes to indemnify the High Commissioners and their Governments, and each of them, upon request, in respect of all liabilities either now existing or hereafter arising, in connection with the operations referred to in paragraphs 1 through 3 hereof, or in connection with transactions entered into in supplying aid and contributions to the German economy. Likewise the Federal Government agrees to satisfy claims allowed by the liquidators of the Agency, the Allied High Commission, or other appropriate Allied Agency, where the latter shall, in special cases, have deemed it advisable to order payment without recognizing the legal basis of such claims (*ex gratia* awards).

5. The Federal Government will open a special account in the Bank deutscher Länder in the name of the Federal Govern-

ment of Germany to be known as the "JEIA Fund". The High Commissioners will pay the funds referred to in paragraph 3 of this letter into this account. The Federal Government and the Joint Export-Import Agency and their Agencies will also pay into this account those moneys which arise from time to time from the disposition of the property of the Agency. Furthermore, the Verwaltungs- und Verrechnungs-GmbH (VVG) will transfer into the special account "JEIA Fund" such balances resulting from the collection of assigned receivables as pertain to JEIA.

6. The Joint Export-Import Agency has already transmitted to the Federal Ministry of Finance a list of the outstanding active claims against the Agency which are presently under consideration. In order to assure the availability of sufficient funds to satisfy such claims as the liquidators of the Agency, the Allied High Commission, or other appropriate Allied Agency shall allow, to cover any expenses incurred in prosecuting and defending claims by and against the Agency, and to cover the administrative expenses of the Agency (to the extent that these are not provided for from occupation costs), DM 50 million of the "JEIA Fund" will be blocked. The *ex gratia* awards allowed by the liquidators of the Joint Export-Import Agency or the Allied High Commission or other appropriate Allied Agency, which the Federal Government undertakes to satisfy, are limited to DM 10,000,000 except as mutually agreed between the parties hereto. Although it is not anticipated that the amounts required for these purposes will be nearly so great, it is thought prudent to reserve these sums for the time being, subject to progressive reduction by mutual agreement as the liquidation proceeds. In so far as payment of such claims and expenses is required in a foreign currency, the Federal Government will make available such currency.

7. The Federal Government shall make use of the remainder of the Joint Export-Import Agency funds by withdrawing therefrom such sums for such purposes as may be agreed with the Allied High Commission or other appropriate Allied Agency. Certain sums have already been made available to the Federal Government in advance out of the funds held by the liquidators.

8. The High Commissioners will supply the Federal Government with such information obtainable from their records as is necessary to facilitate the collection of outstanding potential assets transferred to the Federal Government, or for such other purposes as the High Commissioners may agree.

9. You are requested to accept on behalf of the Federal Government the proposals in this letter for the transfer of the assets referred to in paragraphs 2 and 3 above on the terms set out in this letter and at the same time to agree to the terms referred to in paragraphs 1, 4, 5, 6 and 7, above.

10. The German, English and French texts of the present letter shall be of equal authenticity.

Accept, Mr. Chancellor, the renewed assurance of my highest consideration.

JOHN J. McCLOY
Chairman

18b

[Translation]

FEDERAL REPUBLIC OF GERMANY
THE FEDERAL CHANCELLOR
311-00 II/6737/52
Bonn, May 21, 1952

His Excellency
The Acting Chairman
of the Allied High Commission,
Mr. JOHN J. McCLOY,
Bonn-Petersberg.

Mr. HIGH COMMISSIONER,

I have the honour to acknowledge receipt of your letter of 19 May 1952—AGSEC(52)459—concerning Liquidation of J. E. I. A. and the transfer of its assets to the Federal Government. On behalf of the Federal Government I state that I agree with the contents of this letter.

Accept, Mr. High Commissioner, the expression of my highest consideration.

/s/ ADENAUER

19

[Translation]

MAY 26, 1952

To: High Commissioners [US/UK/France]

In connection with the discussions leading to the formulation of Article 4 of Chapter Ten (Foreign Interests) of the Convention on the Settlement of Matters Arising out of the War and the Occupation, your negotiators have pointed out that Article 4 makes only a general statement of principle as regards the influence of the state of war on private pre-war contracts and that the principle in itself is not sufficient to overcome the considerable legal difficulties which could arise from the solution of all the particular problems involved.

I wish to inform you on behalf of the Federal Government that it is prepared to enter into discussions with the other Governments concerned for the negotiation of a multilateral agreement laying down rules for the solution of these questions. My Government considers, however, that contracts of insurance and reinsurance should be treated separately in view of their special character. It is therefore willing to enter into bilateral discussions with each of the other Governments concerned with a view to the negotiation of bilateral agreements in this field.

I shall be grateful if you will inform your Government of the contents of this letter.

/s/ ADENAUER

THREE-POWER DECLARATION ON BERLIN

"With respect to Berlin, in addition to the Allies' security guarantees for the city in the London communique of October 3, 1954, the Foreign Ministers of France, the United Kingdom and the United States have noted with deep satisfaction the close and friendly cooperation between the Allied and Berlin authorities. The Three Powers are determined to ensure the greatest possible degree of self-government in Berlin compatible with Berlin's special situation. Accordingly, the three Governments have instructed their representatives in Berlin to consult with the authorities of that city with a view to implementing jointly and to the fullest degree possible the foregoing principles.

(Signed) P. M-F.
(Signed) J. F. D.
(Signed) A. E."

The above text is a certified true copy of the Three-Power Declaration on Berlin initialled by the Foreign Ministers of France, the United States and United Kingdom on 22nd October, 1954, at the Palais de Chaillot, Paris, XVIe.

(Signed) R. G. Barnes,
(Typed) (R. G. BARNES)
Joint-Secretary Four Power Conference